

1-1 By: Aycock, et al. (Senate Sponsor - Patrick) H.B. No. 5  
 1-2 (In the Senate - Received from the House April 2, 2013;  
 1-3 April 2, 2013, read first time and referred to Committee on  
 1-4 Education; April 22, 2013, reported adversely, with favorable  
 1-5 Committee Substitute by the following vote: Yeas 7, Nays 0,  
 1-6 2 present not voting; April 22, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16				X
1-17				X

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 5 By: Patrick

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to public school accountability, assessment and  
 1-22 curriculum requirements for high school graduation, and funding in  
 1-23 support of certain curriculum authorized for graduation; providing  
 1-24 a criminal penalty.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. (a) Section 7.062(e), Education Code, is amended  
 1-27 to read as follows:

1-28 (e) The rules must:

1-29 (1) limit the amount of assistance provided through a  
 1-30 grant to not more than:

1-31 (A) for a construction project, \$200 per square  
 1-32 foot of the science laboratory to be constructed; or

1-33 (B) for a renovation project, \$100 per square  
 1-34 foot of the science laboratory to be renovated;

1-35 (2) require a school district to demonstrate, as a  
 1-36 condition of eligibility for a grant, that the existing district  
 1-37 science laboratories are insufficient in number to comply with the  
 1-38 curriculum requirements imposed for an endorsement [~~the~~  
 1-39 ~~recommended and advanced high school programs~~] under Section  
 1-40 28.025(c-1) [~~28.025(b-1)(1)~~]; and

1-41 (3) provide for ranking school districts that apply  
 1-42 for grants on the basis of wealth per student and giving priority in  
 1-43 the award of grants to districts with low wealth per student.

1-44 (b) This section applies beginning with the 2014-2015  
 1-45 school year.

1-46 SECTION 2. Subchapter C, Chapter 7, Education Code, is  
 1-47 amended by adding Section 7.064 to read as follows:

1-48 Sec. 7.064. CAREER AND TECHNOLOGY CONSORTIUM. (a) The  
 1-49 commissioner shall investigate available options for the state to  
 1-50 join a consortium of states for the purpose of developing sequences  
 1-51 of academically rigorous career and technology courses in career  
 1-52 areas that are high-demand, high-wage career areas in this state.

1-53 (b) The curricula for the courses must include the  
 1-54 appropriate essential knowledge and skills adopted under  
 1-55 Subchapter A, Chapter 28.

1-56 (c) If the commissioner determines that joining a  
 1-57 consortium of states for this purpose would be beneficial for the  
 1-58 educational and career success of students in the state, the  
 1-59 commissioner may join the consortium on behalf of the state.

1-60 SECTION 3. (a) Section 25.083, Education Code, is amended

2-1 to read as follows:

2-2 Sec. 25.083. SCHOOL DAY INTERRUPTIONS. (a) The board of  
2-3 trustees of each school district shall adopt and strictly enforce a  
2-4 policy limiting interruptions of classes during the school day for  
2-5 nonacademic activities such as announcements and sales promotions.  
2-6 At a minimum, the policy must limit announcements other than  
2-7 emergency announcements to once during the school day.

2-8 (b) The board of trustees of each school district shall  
2-9 adopt and strictly enforce a policy limiting the removal of  
2-10 students from class for remedial tutoring or test preparation. A  
2-11 district may not remove a student from a regularly scheduled class  
2-12 for remedial tutoring or test preparation if, as a result of the  
2-13 removal, the student would miss more than 10 percent of the school  
2-14 days on which the class is offered, unless the student's parent or  
2-15 another person standing in parental relation to the student  
2-16 provides to the district written consent for removal from class for  
2-17 such purpose.

2-18 (b) This section applies beginning with the 2013-2014  
2-19 school year.

2-20 SECTION 4. (a) The heading to Section 25.092, Education  
2-21 Code, is amended to read as follows:

2-22 Sec. 25.092. MINIMUM ATTENDANCE FOR CLASS CREDIT OR FINAL  
2-23 GRADE.

2-24 (b) This section applies beginning with the 2013-2014  
2-25 school year.

2-26 SECTION 5. (a) Sections 25.092(a), (a-1), (b), and (d),  
2-27 Education Code, are amended to read as follows:

2-28 (a) Except as provided by this section, a student in any  
2-29 grade level from kindergarten through grade 12 may not be given  
2-30 credit or a final grade for a class unless the student is in  
2-31 attendance for at least 90 percent of the days the class is offered.

2-32 (a-1) A student who is in attendance for at least 75 percent  
2-33 but less than 90 percent of the days a class is offered may be given  
2-34 credit or a final grade for the class if the student completes a  
2-35 plan approved by the school's principal that provides for the  
2-36 student to meet the instructional requirements of the class. A  
2-37 student under the jurisdiction of a court in a criminal or juvenile  
2-38 justice proceeding may not receive credit or a final grade under  
2-39 this subsection without the consent of the judge presiding over the  
2-40 student's case.

2-41 (b) The board of trustees of each school district shall  
2-42 appoint one or more attendance committees to hear petitions for  
2-43 class credit or a final grade by students who are in attendance  
2-44 fewer than the number of days required under Subsection (a) and have  
2-45 not earned class credit or a final grade under Subsection (a-1).  
2-46 Classroom teachers shall comprise a majority of the membership of  
2-47 the committee. A committee may give class credit or a final grade  
2-48 to a student because of extenuating circumstances. Each board of  
2-49 trustees shall establish guidelines to determine what constitutes  
2-50 extenuating circumstances and shall adopt policies establishing  
2-51 alternative ways for students to make up work or regain credit or a  
2-52 final grade lost because of absences. The alternative ways must  
2-53 include at least one option that does not require a student to pay a  
2-54 fee authorized under Section 11.158(a)(15). A certified public  
2-55 school employee may not be assigned additional instructional duties  
2-56 as a result of this section outside of the regular workday unless  
2-57 the employee is compensated for the duties at a reasonable rate of  
2-58 pay.

2-59 (d) If a student is denied credit or a final grade for a  
2-60 class by an attendance committee, the student may appeal the  
2-61 decision to the board of trustees. The decision of the board may be  
2-62 appealed by trial de novo to the district court of the county in  
2-63 which the school district's central administrative office is  
2-64 located.

2-65 (b) This section applies beginning with the 2013-2014  
2-66 school year.

2-67 SECTION 6. (a) Section 28.002, Education Code, is amended  
2-68 by amending Subsections (c) and (f) and adding Subsections (o) and  
2-69 (t) to read as follows:

3-1 (c) The State Board of Education, with the direct  
 3-2 participation of educators, parents, business and industry  
 3-3 representatives, and employers shall by rule identify the essential  
 3-4 knowledge and skills of each subject of the required curriculum  
 3-5 that all students should be able to demonstrate and that will be  
 3-6 used in evaluating instructional materials under Chapter 31 and  
 3-7 addressed on the assessment instruments required under Subchapter  
 3-8 B, Chapter 39. As a condition of accreditation, the board shall  
 3-9 require each district to provide instruction in the essential  
 3-10 knowledge and skills at appropriate grade levels and to make  
 3-11 available to each high school student in the district an Algebra II  
 3-12 course.

3-13 (f) A school district may offer courses for local credit in  
 3-14 addition to those in the required curriculum. The State Board of  
 3-15 Education shall be flexible in approving a course for credit for  
 3-16 high school graduation under this subsection. A district may also  
 3-17 offer courses for local credit without obtaining State Board of  
 3-18 Education approval if:

3-19 (1) the district develops a program under which the  
 3-20 district partners with a public or private institution of higher  
 3-21 education and local business and community leaders to develop and  
 3-22 provide the courses;

3-23 (2) the courses prepare students to enter:

3-24 (A) a career or technology training program in  
 3-25 the district's region of the state; or

3-26 (B) an institution of higher education without  
 3-27 remediation; and

3-28 (3) the board of trustees of the district approves the  
 3-29 courses.

3-30 (o) In approving career and technology courses, the State  
 3-31 Board of Education must determine that a minimum of 50 percent of  
 3-32 the approved courses are cost-effective for a school district to  
 3-33 implement.

3-34 (t) The State Board of Education by rule shall require a  
 3-35 course of instruction in career explorations for each student  
 3-36 during either seventh or eighth grade. The course must include  
 3-37 detailed explanations and discussions of:

3-38 (1) the foundation high school program and  
 3-39 endorsements under Section 28.025; and

3-40 (2) courses necessary or useful in pursuing higher  
 3-41 education or a career.

3-42 (b) This section applies beginning with the 2014-2015  
 3-43 school year.

3-44 SECTION 7. Subchapter A, Chapter 28, Education Code, is  
 3-45 amended by adding Section 28.00222 to read as follows:

3-46 Sec. 28.00222. INCREASE IN CAREER AND TECHNOLOGY EDUCATION  
 3-47 COURSES. (a) Not later than September 1, 2014, the State Board of  
 3-48 Education shall ensure that at least six advanced career and  
 3-49 technology education courses, including courses in personal  
 3-50 financial literacy consistent with Section 28.0021 and in  
 3-51 statistics, are approved to satisfy a fourth credit in mathematics.

3-52 (b) Not later than January 1, 2015, the commissioner shall  
 3-53 review and report to the governor, the lieutenant governor, the  
 3-54 speaker of the house of representatives, and the presiding officer  
 3-55 of each standing committee of the legislature with primary  
 3-56 responsibility over public primary and secondary education  
 3-57 regarding the progress of increasing the number of courses approved  
 3-58 for the career and technology education curriculum. The  
 3-59 commissioner shall include in the report a detailed description of  
 3-60 any new courses, including instructional materials and required  
 3-61 equipment, if any.

3-62 (c) This section expires September 1, 2015.

3-63 SECTION 8. (a) Section 28.014, Education Code, is amended  
 3-64 to read as follows:

3-65 Sec. 28.014. COLLEGE PREPARATORY COURSES. (a) Each school  
 3-66 district shall partner with at least one institution of higher  
 3-67 education, including any public junior college in this state, to  
 3-68 develop and provide ~~[The commissioner of education and the~~  
 3-69 ~~commissioner of higher education shall develop and recommend to the~~

4-1 ~~State Board of Education for adoption under Section 28.002 the~~  
 4-2 ~~essential knowledge and skills of] courses in college preparatory~~  
 4-3 ~~mathematics[, science, social studies,] and English language~~  
 4-4 ~~arts. The courses must be designed:~~

4-5 (1) for students at the 12th grade level whose  
 4-6 performance on:

4-7 (A) ~~[who do not meet college readiness standards~~  
 4-8 ~~on] an end-of-course assessment instrument required under Section~~  
 4-9 ~~39.023(c) does not meet college readiness standards; or~~

4-10 (B) coursework, a college entrance examination,  
 4-11 or an assessment instrument designated under Section 51.3062(c)  
 4-12 indicates that the student is not ready to perform entry-level  
 4-13 college coursework; and

4-14 (2) to prepare students for success in entry-level  
 4-15 college courses.

4-16 (b) A course developed under this section must be provided:

4-17 (1) on the campus of the high school offering the  
 4-18 course; or

4-19 (2) through distance learning or as an online course  
 4-20 provided through an institution of higher education with which the  
 4-21 school district partners as provided by Subsection (a).

4-22 (c) Appropriate faculty of each high school offering  
 4-23 courses under this section and appropriate faculty of each  
 4-24 institution of higher education with which the school district  
 4-25 partners shall meet regularly as necessary to ensure that each  
 4-26 course is aligned with college readiness expectations. The  
 4-27 commissioner of education, in coordination with the commissioner of  
 4-28 higher education, may adopt rules to administer this subsection.

4-29 (d) Each school district shall provide a notice to each  
 4-30 district student to whom Subsection (a) applies and the student's  
 4-31 parent or guardian regarding the benefits of enrolling in a course  
 4-32 under this section.

4-33 (e) A student who successfully completes an English  
 4-34 language arts [a] course developed under this section may use the  
 4-35 credit earned in the course toward satisfying an appropriate  
 4-36 English language arts [the applicable mathematics or science]  
 4-37 curriculum requirement for the foundation [recommended or  
 4-38 advanced] high school program under Section 28.025(b-1)(1), as  
 4-39 established by commissioner rule [28.025]. A student who  
 4-40 successfully completes a mathematics course developed under this  
 4-41 section may use the credit earned in the course toward satisfying an  
 4-42 appropriate mathematics curriculum requirement under Section  
 4-43 28.025, as established by commissioner rule, after completion of  
 4-44 the mathematics curriculum requirements for the foundation high  
 4-45 school program under Section 28.025(b-1)(2).

4-46 (f) A course provided under this section may be offered for  
 4-47 dual credit at the discretion of the institution of higher  
 4-48 education with which a school district partners under this section.

4-49 (g) Each school district, in consultation with each  
 4-50 institution of higher education with which the district partners,  
 4-51 shall develop or purchase [(c) The agency, in consultation with  
 4-52 the Texas Higher Education Coordinating Board, shall adopt an  
 4-53 end-of-course assessment instrument for each course developed  
 4-54 under this section to ensure the rigor of the course. A school  
 4-55 district shall, in accordance with State Board of Education rules,  
 4-56 administer the end-of-course assessment instrument to a student  
 4-57 enrolled in a course developed under this section. Each school  
 4-58 district shall adopt a policy that requires a student's performance  
 4-59 on the end-of-course assessment instrument to account for 15  
 4-60 percent of the student's final grade for the course. A student's  
 4-61 performance on an end-of-course assessment instrument administered  
 4-62 under this subsection may be used, on a scale of 0-40, in  
 4-63 calculating whether the student satisfies the graduation  
 4-64 requirements established under Section 39.025.

4-65 [(d) The agency, in coordination with the Texas Higher  
 4-66 Education Coordinating Board, shall adopt a series of questions to  
 4-67 be included in an end-of-course assessment instrument administered  
 4-68 under Subsection (c) to be used for purposes of Section  
 4-69 51.3062. The questions must be developed in a manner consistent

5-1 ~~with any college readiness standards adopted under Sections 39.233~~  
5-2 ~~and 51.3062.~~

5-3 ~~[(c) The State Board of Education shall adopt]~~  
5-4 ~~instructional materials for a course developed under this section~~  
5-5 ~~consistent [in accordance] with Chapter 31. The instructional~~  
5-6 ~~materials must include technology resources that enhance the~~  
5-7 ~~effectiveness of the course and draw on established best practices.~~

5-8 ~~(h) [(f)] To the extent applicable, a district [the~~  
5-9 ~~commissioner] shall draw from curricula and instructional~~  
5-10 ~~materials developed under Section [Sections] 28.008 [and 61.0763]~~  
5-11 ~~in developing a course and related instructional materials under~~  
5-12 ~~this section. A [Not later than September 1, 2010, the State Board~~  
5-13 ~~of Education shall adopt essential knowledge and skills for each~~  
5-14 ~~course developed under this section. The State Board of Education~~  
5-15 ~~shall make each] course developed under this section and the~~  
5-16 ~~related instructional materials shall be made available to students~~  
5-17 ~~[school districts] not later than the 2014-2015 school year. [As~~  
5-18 ~~required by Subsection (c), a school district shall adopt a policy~~  
5-19 ~~requiring a student's performance on an end-of-course assessment~~  
5-20 ~~instrument administered under that subsection to account for 15~~  
5-21 ~~percent of the student's grade for a course developed under this~~  
5-22 ~~section not later than the 2014-2015 school year.] This subsection~~  
5-23 ~~expires September 1, 2015.~~

5-24 (b) This section applies beginning with the 2013-2014  
5-25 school year.

5-26 SECTION 9. Section 28.0211(m), Education Code, is amended  
5-27 to read as follows:

5-28 (m) The commissioner shall certify, not later than July 1  
5-29 of each school year or as soon as practicable thereafter, whether  
5-30 sufficient funds have been appropriated statewide for the purposes  
5-31 of this section and Section 28.0217. A determination by the  
5-32 commissioner is final and may not be appealed. For purposes of  
5-33 certification, the commissioner may not consider Foundation School  
5-34 Program funds. This section may be implemented only if the  
5-35 commissioner certifies that sufficient funds have been  
5-36 appropriated during a school year for administering the accelerated  
5-37 instruction programs specified under this section and allowed under  
5-38 Section 28.0217, including teacher training for that purpose.

5-39 SECTION 10. (a) Sections 28.0212(a), (b), (c), and (e),  
5-40 Education Code, are amended to read as follows:

5-41 (a) A principal shall designate a guidance counselor,  
5-42 teacher, or other appropriate individual to develop and administer  
5-43 a personal graduation plan for each student enrolled in a junior  
5-44 high, middle, or high school ~~[who-~~

5-45 ~~[(1) does not perform satisfactorily on an assessment~~  
5-46 ~~instrument administered under Subchapter B, Chapter 39, or~~

5-47 ~~[(2) is not likely to receive a high school diploma~~  
5-48 ~~before the fifth school year following the student's enrollment in~~  
5-49 ~~grade level nine, as determined by the district].~~

5-50 (b) Notwithstanding any other provision of this section, a  
5-51 [A] personal graduation plan for a student enrolled in a junior  
5-52 high, middle, or high school who does not perform satisfactorily on  
5-53 an assessment instrument administered under Subchapter B, Chapter  
5-54 39, or who is not likely to receive a high school diploma before the  
5-55 fifth school year following the student's enrollment in grade level  
5-56 nine, as determined by the school district, must at a minimum:

5-57 (1) identify educational goals for the student;

5-58 (2) include diagnostic information, appropriate  
5-59 monitoring and intervention, and other evaluation strategies;

5-60 (3) include an intensive instruction program  
5-61 described by Section 28.0213;

5-62 (4) address participation of the student's parent or  
5-63 guardian, including consideration of the parent's or guardian's  
5-64 educational expectations for the student; and

5-65 (5) provide innovative methods to promote the  
5-66 student's advancement, including flexible scheduling, alternative  
5-67 learning environments, on-line instruction, and other  
5-68 interventions that are proven to accelerate the learning process  
5-69 and have been scientifically validated to improve learning and

6-1 cognitive ability.

6-2 (c) Notwithstanding any other provision of this section  
 6-3 ~~[Subsection (b)]~~, a student's individualized education program  
 6-4 developed under Section 29.005 may be used as the student's  
 6-5 personal graduation plan under this section.

6-6 (e) A personal graduation plan ~~[Each school district is~~  
 6-7 ~~encouraged to establish]~~ for each student entering grade nine must  
 6-8 identify ~~[a personal graduation plan that identifies]~~ a course of  
 6-9 study that:

6-10 (1) promotes:

6-11 (A) college and workforce readiness; and

6-12 (B) career placement and advancement; and

6-13 (2) facilitates the student's transition from  
 6-14 secondary to postsecondary education.

6-15 (b) This section applies beginning with the 2013-2014  
 6-16 school year.

6-17 SECTION 11. Subchapter B, Chapter 28, Education Code, is  
 6-18 amended by adding Section 28.0217 to read as follows:

6-19 Sec. 28.0217. ACCELERATED INSTRUCTION FOR HIGH SCHOOL  
 6-20 STUDENTS. Each time a student fails to perform satisfactorily on an  
 6-21 assessment instrument administered under Section 39.023(c), the  
 6-22 school district in which the student attends school shall provide  
 6-23 to the student accelerated instruction in the applicable subject  
 6-24 area, using funds appropriated for accelerated instruction under  
 6-25 Section 28.0211. Accelerated instruction may require  
 6-26 participation of the student before or after normal school hours  
 6-27 and may include participation at times of the year outside normal  
 6-28 school operations.

6-29 SECTION 12. (a) Section 28.025, Education Code, is amended  
 6-30 by amending Subsections (a), (b), (b-1), (b-2), (b-4), (b-5),  
 6-31 (b-7), (b-9), (b-10), (b-11), and (e) and adding Subsections  
 6-32 (b-12), (c-1), (c-2), (c-3), (c-4), (h), and (h-1) to read as  
 6-33 follows:

6-34 (a) The State Board of Education by rule shall determine  
 6-35 curriculum requirements for the foundation ~~[minimum, recommended,~~  
 6-36 ~~and advanced]~~ high school program ~~[programs]~~ that are consistent  
 6-37 with the required curriculum under Section 28.002. The ~~[Subject to~~  
 6-38 ~~Subsection (b-1), the]~~ State Board of Education shall designate the  
 6-39 specific courses in the foundation curriculum under Section  
 6-40 28.002(a)(1) required under ~~[for a student participating in]~~ the  
 6-41 foundation ~~[minimum, recommended, or advanced]~~ high school  
 6-42 program. Except as otherwise provided by this section ~~[Subsection~~  
 6-43 ~~(b-1)]~~, the State Board of Education may not designate a specific  
 6-44 course or a specific number of credits in the enrichment curriculum  
 6-45 as requirements for the foundation high school ~~[recommended]~~  
 6-46 program.

6-47 (b) A school district shall ensure that each student, on  
 6-48 entering ninth grade, indicates in writing an endorsement under  
 6-49 Subsection (c-1) that the student intends to earn. A district may  
 6-50 permit a student to choose, at any time, to earn an endorsement  
 6-51 other than the endorsement the student previously indicated. A  
 6-52 student may graduate under the foundation high school program  
 6-53 without earning an endorsement if, after the student's sophomore  
 6-54 year:

6-55 (1) the student and the student's parent or person  
 6-56 standing in parental relation to the student are advised by a school  
 6-57 counselor of the specific benefits of graduating from high school  
 6-58 with one or more endorsements; and

6-59 (2) the student's parent or person standing in  
 6-60 parental relation to the student files with a school counselor  
 6-61 written permission, on a form adopted by the agency, allowing the  
 6-62 student to graduate under the foundation high school program  
 6-63 without earning an endorsement ~~[enrolls in the courses necessary to~~  
 6-64 ~~complete the curriculum requirements identified by the State Board~~  
 6-65 ~~of Education under Subsection (a) for the recommended or advanced~~  
 6-66 ~~high school program unless the student, the student's parent or~~  
 6-67 ~~other person standing in parental relation to the student, and a~~  
 6-68 ~~school counselor or school administrator agree in writing signed by~~  
 6-69 ~~each party that the student should be permitted to take courses~~

7-1 ~~under the minimum high school program and the student:~~  
7-2 ~~[(1) is at least 16 years of age;~~  
7-3 ~~[(2) has completed two credits required for graduation~~  
7-4 ~~in each subject of the foundation curriculum under Section~~  
7-5 ~~28.002(a)(1); or~~  
7-6 ~~[(3) has failed to be promoted to the tenth grade one~~  
7-7 ~~or more times as determined by the school district].~~  
7-8 (b-1) The State Board of Education by rule shall require  
7-9 that[+  
7-10 ~~[(1) except as provided by Subsection (b-2),] the~~  
7-11 ~~curriculum requirements for the foundation [recommended and~~  
7-12 ~~advanced] high school program [programs] under Subsection (a)~~  
7-13 ~~include a requirement that students successfully complete:~~  
7-14 ~~(1) [(A)] four credits in English language arts [each~~  
7-15 ~~subject of the foundation curriculum] under Section~~  
7-16 ~~28.002(a)(1)(A);~~  
7-17 ~~(2) three credits in mathematics under Section~~  
7-18 ~~28.002(a)(1)(B);~~  
7-19 ~~(3) three credits in science under Section~~  
7-20 ~~28.002(a)(1)(C), one of which may be satisfied by an academic~~  
7-21 ~~elective credit in science in addition to elective credits under~~  
7-22 ~~Subdivision (6);~~  
7-23 ~~(4) except as provided by Subsection (c-1)(1), three~~  
7-24 ~~credits in social studies under Section 28.002(a)(1)(D)~~  
7-25 ~~[28.002(a)(1)], including at least one credit in United States~~  
7-26 ~~history, one-half credit in government, and [at least] one-half~~  
7-27 ~~credit in economics [to meet the social studies requirement];~~  
7-28 ~~(5) except as provided by Subsection (b-12) [(B) for~~  
7-29 ~~the recommended high school program], two credits in the same~~  
7-30 ~~language in a language other than English under Section~~  
7-31 ~~28.002(a)(2)(A) or, at the option of the student, two credits in~~  
7-32 ~~computer programming [and, for the advanced high school program,~~  
7-33 ~~three credits in the same language in a language other than English~~  
7-34 ~~under Section 28.002(a)(2)(A)]; [and]~~  
7-35 ~~(6) 8-1/2 [(C) for the recommended high school~~  
7-36 ~~program, six] elective credits, including at least two credits in~~  
7-37 ~~academic electives [and, for the advanced high school program, five~~  
7-38 ~~elective credits];~~  
7-39 ~~(7) one-half credit in speech;~~  
7-40 ~~(8) [(2) one or more credits offered in the required~~  
7-41 ~~curriculum for the recommended and advanced high school programs~~  
7-42 ~~include a research writing component; and~~  
7-43 ~~[(3) the curriculum requirements for the minimum,~~  
7-44 ~~recommended, and advanced high school programs under Subsection (a)~~  
7-45 ~~include a requirement that students successfully complete:~~  
7-46 ~~[(A)] one credit in fine arts under Section~~  
7-47 ~~28.002(a)(2)(D); and~~  
7-48 ~~(9) [(B)] except as provided by Subsection (b-11), one~~  
7-49 ~~credit in physical education under Section 28.002(a)(2)(C).~~  
7-50 (b-2) In adopting rules under Subsection (b-1), the State  
7-51 Board of Education shall allow a student to comply with the  
7-52 curriculum requirements for the third and fourth [a] mathematics  
7-53 credits for purposes of earning an endorsement [course] under  
7-54 Subsection (c-1)(1) by successfully completing applied mathematics  
7-55 courses [(b-1)(1) taken after the successful completion of Algebra  
7-56 I and geometry] and for the third and fourth [either after the  
7-57 successful completion of or concurrently with Algebra II or a]  
7-58 science credits for purposes of earning an endorsement [course]  
7-59 under Subsection (c-1)(1) by successfully completing applied  
7-60 science courses. An applied course under this subsection must  
7-61 satisfy the requirements of Subsection (b-4) [(b-1)(1) taken after  
7-62 the successful completion of biology and chemistry and either after  
7-63 the successful completion of or concurrently with physics by  
7-64 successfully completing an advanced career and technical course  
7-65 designated by the State Board of Education as containing  
7-66 substantively similar and rigorous academic content. A student may  
7-67 use the option provided by this subsection for not more than two  
7-68 courses].  
7-69 (b-4) A school district may offer the curriculum described

8-1 in Subsections (b-1)(1) through (4) [~~Subsection (b-1)(1)(A)~~] in an  
 8-2 applied manner. Courses delivered in an applied manner must cover  
 8-3 the essential knowledge and skills, and the student shall be  
 8-4 administered any [~~the~~] applicable end-of-course assessment  
 8-5 instrument as provided by Sections 39.023(c) and 39.025.

8-6 (b-5) A school district may offer a mathematics or science  
 8-7 course to be taken by a student after completion of Algebra II and  
 8-8 physics [~~to comply with the recommended program requirements in~~  
 8-9 ~~Subsection (b-1)(1)(A)~~]. A course approved under this subsection  
 8-10 must be endorsed by an institution of higher education as a course  
 8-11 for which the institution would award course credit or as a  
 8-12 prerequisite for a course for which the institution would award  
 8-13 course credit.

8-14 (b-7) The State Board of Education, in coordination with the  
 8-15 Texas Higher Education Coordinating Board, shall adopt rules to  
 8-16 ensure that a student may comply with the curriculum requirements  
 8-17 under Subsections (b-1) and (c-1) [~~the minimum, recommended, or~~  
 8-18 ~~advanced high school program~~] for each subject of the foundation  
 8-19 curriculum under Section 28.002(a)(1) and for languages other than  
 8-20 English under Section 28.002(a)(2)(A) by successfully completing  
 8-21 appropriate courses in the core curriculum of an institution of  
 8-22 higher education under Section 61.822.

8-23 (b-9) The agency shall establish a pilot program allowing a  
 8-24 student attending school in a county with a population of more than  
 8-25 one million and in which more than 75 percent of the population  
 8-26 resides in a single municipality to satisfy the fine arts credit  
 8-27 [~~required~~] under Subsection (b-1)(8) [~~(b-1)(3)(A)~~] by  
 8-28 participating in a fine arts program not provided by the school  
 8-29 district in which the student is enrolled. The fine arts program  
 8-30 may be provided on or off a school campus and outside the regular  
 8-31 school day. [~~Not later than December 1, 2010, the agency shall~~  
 8-32 ~~provide to the legislature a report regarding the pilot program,~~  
 8-33 ~~including the feasibility of expanding the pilot program~~  
 8-34 ~~statewide.~~]

8-35 (b-10) A school district, with the approval of the  
 8-36 commissioner, may allow a student to comply with the curriculum  
 8-37 requirements for the physical education credit required under  
 8-38 Subsection (b-1)(9) [~~(b-1)(3)(B)~~] by participating in a private or  
 8-39 commercially sponsored physical activity program provided on or off  
 8-40 a school campus and outside the regular school day.

8-41 (b-11) In adopting rules under Subsection (b-1), the State  
 8-42 Board of Education shall allow a student who is unable to  
 8-43 participate in physical activity due to disability or illness to  
 8-44 substitute one credit in English language arts, mathematics,  
 8-45 science, or social studies or one academic elective credit for the  
 8-46 physical education credit required under Subsection (b-1)(9)  
 8-47 [~~(b-1)(3)(B)~~]. A credit allowed to be substituted under this  
 8-48 subsection may not also be used by the student to satisfy a  
 8-49 graduation requirement other than completion of the physical  
 8-50 education credit. The rules must provide that the determination  
 8-51 regarding a student's ability to participate in physical activity  
 8-52 will be made by:

8-53 (1) if the student receives special education services  
 8-54 under Subchapter A, Chapter 29, the student's admission, review,  
 8-55 and dismissal committee;

8-56 (2) if the student does not receive special education  
 8-57 services under Subchapter A, Chapter 29, but is covered by Section  
 8-58 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the  
 8-59 committee established for the student under that Act; or

8-60 (3) if each of the committees described by  
 8-61 Subdivisions (1) and (2) is inapplicable, a committee established  
 8-62 by the school district of persons with appropriate knowledge  
 8-63 regarding the student.

8-64 (b-12) In adopting rules under Subsection (b-1), the State  
 8-65 Board of Education shall allow a student who, due to disability, is  
 8-66 unable to complete two courses in the same language in a language  
 8-67 other than English, as provided under Subsection (b-1)(5), to  
 8-68 substitute for those credits two credits in English language arts,  
 8-69 mathematics, science, or social studies or two credits in career

9-1 and technology education or other academic electives. A credit  
 9-2 allowed to be substituted under this subsection may not also be used  
 9-3 by the student to satisfy a graduation credit requirement other  
 9-4 than credit for completion of a language other than English. The  
 9-5 rules must provide that the determination regarding a student's  
 9-6 ability to participate in language-other-than-English courses will  
 9-7 be made by:

9-8 (1) if the student receives special education services  
 9-9 under Subchapter A, Chapter 29, the student's admission, review,  
 9-10 and dismissal committee; or

9-11 (2) if the student does not receive special education  
 9-12 services under Subchapter A, Chapter 29, but is covered by Section  
 9-13 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794), the  
 9-14 committee established for the student under that Act.

9-15 (c-1) A student who successfully completes the curriculum  
 9-16 requirements for the foundation high school program under this  
 9-17 section may earn any of the following endorsements on the student's  
 9-18 diploma and transcript as follows:

9-19 (1) a business and industry endorsement by earning:

9-20 (A) one additional credit in mathematics;

9-21 (B) one additional credit in science;

9-22 (C) a total of two credits in social studies; and

9-23 (D) two credits in career and technology  
 9-24 education;

9-25 (2) an academic achievement in arts and humanities  
 9-26 endorsement by earning:

9-27 (A) one additional credit in mathematics, which  
 9-28 must be an Algebra II credit if an Algebra II credit is not used to  
 9-29 satisfy the curriculum requirements for the foundation high school  
 9-30 program;

9-31 (B) one additional credit in social studies; and

9-32 (C) one additional credit in fine arts or one  
 9-33 credit in career and technology education;

9-34 (3) an academic achievement in science, technology,  
 9-35 engineering, and mathematics (STEM) endorsement by earning:

9-36 (A) one additional credit in mathematics, which  
 9-37 must be an Algebra II credit if an Algebra II credit is not used to  
 9-38 satisfy the curriculum requirements for the foundation high school  
 9-39 program;

9-40 (B) one additional credit in science; and

9-41 (C) one additional credit in fine arts or one  
 9-42 credit in career and technology education; and

9-43 (4) a distinguished achievement endorsement by:

9-44 (A) successfully completing English III and  
 9-45 Algebra II courses and achieving a scale score on an advanced  
 9-46 placement test, an international baccalaureate examination, the  
 9-47 SAT, an SAT Subject Test, the ACT, or another nationally recognized  
 9-48 assessment instrument, not including an end-of-course assessment  
 9-49 instrument under Section 39.023(c), that indicates readiness to  
 9-50 enroll in an institution of higher education, as determined by the  
 9-51 commissioner; and

9-52 (B) earning:

9-53 (i) one additional credit in mathematics,  
 9-54 including Algebra II;

9-55 (ii) one additional credit in science;

9-56 (iii) one additional credit in social  
 9-57 studies; and

9-58 (iv) one additional credit in the same  
 9-59 language in a language other than English in which the student  
 9-60 earned two credits for purposes of Subsection (b-1)(5), or one  
 9-61 additional credit in computer programming if the student earned two  
 9-62 credits in computer programming for purposes of Subsection  
 9-63 (b-1)(5), as applicable.

9-64 (c-2) The State Board of Education shall designate the  
 9-65 specific courses required for an endorsement under Subsection (c-1)  
 9-66 for courses included in the foundation curriculum under Section  
 9-67 28.002(a)(1).

9-68 (c-3) Notwithstanding any other provision of law, a school  
 9-69 district may contract with any other entity, including another

10-1 school district or an institution of higher education, to provide a  
 10-2 course that the district determines is needed to meet the  
 10-3 requirements of this section.

10-4 (c-4) A student's diploma must clearly indicate any  
 10-5 endorsement under Subsection (c-1) that a student has earned.

10-6 (e) Each school district shall report the academic  
 10-7 achievement record of students who have completed the foundation [~~a~~  
 10-8 ~~minimum, recommended, or advanced~~] high school program on  
 10-9 transcript forms adopted by the State Board of Education. The  
 10-10 transcript forms adopted by the board must be designed to clearly  
 10-11 [~~differentiate between each of the high school programs and~~  
 10-12 identify whether a student received a diploma or a certificate of  
 10-13 coursework completion and to clearly indicate an endorsement under  
 10-14 Subsection (c-1) that a student has earned.

10-15 (h) The commissioner by rule shall adopt a transition plan  
 10-16 to implement and administer the amendments made by H.B. No. 5, 83rd  
 10-17 Legislature, Regular Session, 2013, replacing the minimum,  
 10-18 recommended, and advanced high school programs with the foundation  
 10-19 high school program beginning with the 2013-2014 school year.  
 10-20 Under the transition plan, a student who entered the ninth grade  
 10-21 before the 2013-2014 school year must be permitted to complete the  
 10-22 curriculum requirements required for high school graduation under:

10-23 (1) the foundation high school program, if the student  
 10-24 makes the choice during the 2013-2014 school year to take courses  
 10-25 under that program;

10-26 (2) the minimum high school program, as that program  
 10-27 existed before the adoption of H.B. No. 5, 83rd Legislature,  
 10-28 Regular Session, 2013, if the student was participating in that  
 10-29 program before the 2013-2014 school year;

10-30 (3) the recommended high school program, as that  
 10-31 program existed before the adoption of H.B. No. 5, 83rd  
 10-32 Legislature, Regular Session, 2013, if the student was  
 10-33 participating in that program before the 2013-2014 school year; or

10-34 (4) the advanced high school program, as that program  
 10-35 existed before the adoption of H.B. No. 5, 83rd Legislature,  
 10-36 Regular Session, 2013, if the student was participating in that  
 10-37 program before the 2013-2014 school year.

10-38 (h-1) This subsection and Subsection (h) expire September  
 10-39 1, 2018.

10-40 (b) This section applies beginning with the 2014-2015  
 10-41 school year.

10-42 SECTION 13. (a) Section 28.0253(e), Education Code, is  
 10-43 amended to read as follows:

10-44 (e) A student who receives a high school diploma through the  
 10-45 pilot program is considered to have earned an endorsement  
 10-46 [~~completed the recommended high school program adopted~~] under  
 10-47 Section 28.025(c-1) [~~28.025(a)~~]. The student is not guaranteed  
 10-48 admission to any institution of higher education or to any academic  
 10-49 program at an institution of higher education solely on the basis of  
 10-50 having received the diploma through the program.

10-51 (b) This section applies beginning with the 2014-2015  
 10-52 school year.

10-53 SECTION 14. (a) Sections 28.027(a) and (b), Education  
 10-54 Code, are amended to read as follows:

10-55 (a) In this section, "applied STEM course" means an applied  
 10-56 science, technology, engineering, or mathematics course offered as  
 10-57 part of a school district's career and technology education or  
 10-58 technology applications curriculum.

10-59 (b) The State Board of Education shall establish a process  
 10-60 under which an applied STEM course may be reviewed and approved for  
 10-61 purposes of satisfying the mathematics and science curriculum  
 10-62 requirements for the foundation [~~recommended~~] high school program  
 10-63 [~~imposed~~] under Section 28.025 [~~28.025(b-1)(1)(A)~~] through  
 10-64 substitution of the applied STEM course for a specific mathematics  
 10-65 or science course otherwise required under the foundation  
 10-66 [~~recommended~~] high school program [~~and completed during the~~  
 10-67 ~~student's fourth year of mathematics or science coursework~~]. [~~The~~  
 10-68 ~~State Board of Education may only approve a course to substitute for~~  
 10-69 ~~a mathematics course taken after successful completion of Algebra I~~

11-1 ~~and geometry and after successful completion of or concurrently~~  
11-2 ~~with Algebra II.]~~ The State Board of Education may only approve a  
11-3 course to substitute for a science course taken after successful  
11-4 completion of biology ~~[and chemistry and after successful~~  
11-5 ~~completion of or concurrently with physics]~~.

11-6 (b) This section applies beginning with the 2014-2015  
11-7 school year.

11-8 SECTION 15. Section 29.081, Education Code, is amended by  
11-9 adding Subsections (b-1), (b-2), and (b-3) to read as follows:

11-10 (b-1) Each district shall offer additional accelerated  
11-11 instruction to each student in any subject in which that student has  
11-12 failed an end-of-course assessment instrument that the student is  
11-13 required to pass in order to graduate before the next scheduled test  
11-14 administration without any cost to the student.

11-15 (b-2) A district that is required to provide accelerated  
11-16 instruction under Subsection (b-1) shall separately budget  
11-17 sufficient funds, including funds under Section 42.152, for that  
11-18 purpose. A district may not budget funds received under Section  
11-19 42.152 for any other purpose until it has adopted a budget to  
11-20 support additional accelerated instruction under Subsection (b-1).

11-21 (b-3) A district shall evaluate the effectiveness of  
11-22 accelerated instruction programs under Subsection (b-1) and hold a  
11-23 public hearing once each year to consider the results.

11-24 SECTION 16. (a) Section 29.096(e), Education Code, is  
11-25 amended to read as follows:

11-26 (e) The commissioner shall establish minimum standards for  
11-27 a local collaborative agreement, including a requirement that the  
11-28 agreement must be signed by an authorized school district or  
11-29 open-enrollment charter school officer and an authorized  
11-30 representative of each of the other participating entities that is  
11-31 a partner in the collaboration. The program must:

11-32 (1) limit participation in the program to students  
11-33 authorized to participate by a parent or other person standing in  
11-34 parental relationship;

11-35 (2) have as a primary goal graduation from high school  
11-36 ~~[under at least the recommended high school program];~~

11-37 (3) provide for local businesses or other employers to  
11-38 offer paid employment or internship opportunities and advanced  
11-39 career and vocational training;

11-40 (4) include an outreach component and a lead  
11-41 educational staff member to identify and involve eligible students  
11-42 and public and private entities in participating in the program;

11-43 (5) serve a population of students of which at least 50  
11-44 percent are identified as students at risk of dropping out of  
11-45 school, as described by Section 29.081(d);

11-46 (6) allocate not more than 15 percent of grant funds  
11-47 and matching funds, as determined by the commissioner, to  
11-48 administrative expenses;

11-49 (7) include matching funds from any of the  
11-50 participating entities; and

11-51 (8) include any other requirements as determined by  
11-52 the council.

11-53 (b) This section applies beginning with the 2014-2015  
11-54 school year.

11-55 SECTION 17. Section 29.182(b), Education Code, is amended  
11-56 to read as follows:

11-57 (b) The state plan must include procedures designed to  
11-58 ensure that:

11-59 (1) all secondary and postsecondary students have the  
11-60 opportunity to participate in career and technology education  
11-61 programs;

11-62 (2) the state complies with requirements for  
11-63 supplemental federal career and technology education funding;  
11-64 ~~[and]~~

11-65 (3) career and technology education is established as  
11-66 a part of the total education system of this state and constitutes  
11-67 an option for student learning that provides a rigorous course of  
11-68 study consistent with the required curriculum under Section 28.002  
11-69 and under which a student may receive specific education in a career

12-1 and technology program that:

12-2 (A) incorporates competencies leading to  
12-3 academic and technical skill attainment;

12-4 (B) leads to:

12-5 (i) an industry-recognized license,  
12-6 credential, or certificate; or

12-7 (ii) at the postsecondary level, an  
12-8 associate or baccalaureate degree;

12-9 (C) includes opportunities for students to earn  
12-10 college credit for coursework; and

12-11 (D) includes, as an integral part of the program,  
12-12 participation by students and teachers in activities of career and  
12-13 technical student organizations supported by the agency and the  
12-14 State Board of Education; and

12-15 (4) a school district provides, to the greatest extent  
12-16 possible, to a student participating in a career and technology  
12-17 education program opportunities to enroll in dual credit courses  
12-18 designed to lead to a degree, license, or certification as part of  
12-19 the program.

12-20 SECTION 18. (a) The heading to Section 29.190, Education  
12-21 Code, is amended to read as follows:

12-22 Sec. 29.190. SUBSIDY FOR MANUFACTURING CERTIFICATION  
12-23 EXAMINATION.

12-24 (b) This section applies beginning with the 2013-2014  
12-25 school year.

12-26 SECTION 19. (a) Sections 29.190(a) and (c), Education  
12-27 Code, are amended to read as follows:

12-28 (a) A student is entitled to a subsidy under this section  
12-29 if:

12-30 (1) the student:

12-31 (A) successfully completes the career and  
12-32 technology program of a school district in which the student  
12-33 receives training and instruction for employment [~~in a current or~~  
12-34 ~~emerging high-demand, high-wage, high-skill occupation, as~~  
12-35 ~~determined under Subsection (c)] ; or~~

12-36 (B) is enrolled in a special education program  
12-37 under Subchapter A; and

12-38 (2) the student passes a certification examination to  
12-39 qualify for a license or certificate for an [the] occupation in the  
12-40 manufacturing industry [~~and~~

12-41 ~~(3) the student submits to the district a written~~  
12-42 ~~application in the form, time, and manner required by the district~~  
12-43 ~~for the district to subsidize the cost of an examination described~~  
12-44 ~~by Subdivision (2)].~~

12-45 (c) On approval by the commissioner, the agency shall pay  
12-46 each school district an amount equal to the cost paid by the  
12-47 district [~~or student~~] for the certification examination. To  
12-48 obtain reimbursement for a subsidy paid under this section, a  
12-49 district must:

12-50 (1) pay the fee for the examination [~~or pay the student~~  
12-51 ~~the amount of the fee paid by the student for the examination]~~; and

12-52 (2) submit to the commissioner a written application  
12-53 on a form prescribed by the commissioner stating the amount of the  
12-54 fee paid under Subdivision (1) for the certification examination.

12-55 (b) This section applies beginning with the 2013-2014  
12-56 school year.

12-57 SECTION 20. (a) Section 29.402(b), Education Code, is  
12-58 amended to read as follows:

12-59 (b) A person who is under 26 years of age is eligible to  
12-60 enroll in a dropout recovery program under this subchapter if the  
12-61 person:

12-62 (1) must complete not more than three course credits  
12-63 to complete the curriculum requirements for the foundation  
12-64 [~~minimum, recommended, or advanced~~] high school program [~~as~~  
12-65 ~~appropriate~~], for high school graduation; or

12-66 (2) has failed to perform satisfactorily on an  
12-67 end-of-course assessment instrument administered under Section  
12-68 39.023(c) or an assessment instrument administered under Section  
12-69 39.023(c) as that section existed before amendment by Chapter 1312

13-1 (S.B. 1031), Acts of the 80th Legislature, Regular Session, 2007.  
13-2 (b) This section applies beginning with the 2014-2015  
13-3 school year.

13-4 SECTION 21. (a) Section 29.904(d), Education Code, is  
13-5 amended to read as follows:

13-6 (d) A plan developed under this section:

13-7 (1) must establish clear, achievable goals for  
13-8 increasing the percentage of the school district's graduating  
13-9 seniors, particularly the graduating seniors attending a high  
13-10 school described by Subsection (a), who enroll in an institution of  
13-11 higher education for the academic year following graduation;

13-12 (2) must establish an accurate method of measuring  
13-13 progress toward the goals established under Subdivision (1) that  
13-14 may include the percentage of district high school students and the  
13-15 percentage of students attending a district high school described  
13-16 by Subsection (a) who:

13-17 (A) are enrolled in a course for which a student  
13-18 may earn college credit, such as an advanced placement or  
13-19 international baccalaureate course or a course offered through  
13-20 concurrent enrollment in high school and at an institution of  
13-21 higher education;

13-22 (B) are enrolled in courses that meet the  
13-23 curriculum requirements for an endorsement [~~the recommended or~~  
13-24 ~~advanced high school program~~] as determined under Section 28.025;

13-25 (C) have submitted a free application for federal  
13-26 student aid (FAFSA);

13-27 (D) are exempt under Section 51.3062(p) or (q)  
13-28 from administration of an assessment instrument under Section  
13-29 51.3062 or have performed successfully on an assessment instrument  
13-30 under Section 51.3062;

13-31 (E) graduate from high school;

13-32 (F) graduate from an institution of higher  
13-33 education; and

13-34 (G) have taken college entrance examinations and  
13-35 the average score of those students on the examinations;

13-36 (3) must cover a period of at least five years; and

13-37 (4) may be directed at district students at any level  
13-38 of primary or secondary education.

13-39 (b) This section applies beginning with the 2014-2015  
13-40 school year.

13-41 SECTION 22. (a) Section 31.0211(c), Education Code, is  
13-42 amended to read as follows:

13-43 (c) Subject to Subsection (d), funds allotted under this  
13-44 section may be used to:

13-45 (1) purchase:

13-46 (A) materials on the list adopted by the  
13-47 commissioner, as provided by Section 31.0231;

13-48 (B) instructional materials, regardless of  
13-49 whether the instructional materials are on the list adopted under  
13-50 Section 31.024;

13-51 (C) consumable instructional materials,  
13-52 including workbooks;

13-53 (D) instructional materials for use in bilingual  
13-54 education classes, as provided by Section 31.029;

13-55 (E) instructional materials for use in college  
13-56 preparatory courses under Section 28.014, as provided by Section  
13-57 31.031;

13-58 (F) supplemental instructional materials, as  
13-59 provided by Section 31.035;

13-60 (G) [~~F~~] state-developed open-source  
13-61 instructional materials, as provided by Subchapter B-1;

13-62 (H) [~~G~~] instructional materials and  
13-63 technological equipment under any continuing contracts of the  
13-64 district in effect on September 1, 2011; and

13-65 (I) [~~H~~] technological equipment necessary to  
13-66 support the use of materials included on the list adopted by the  
13-67 commissioner under Section 31.0231 or any instructional materials  
13-68 purchased with an allotment under this section; and

13-69 (2) pay:

14-1 (A) for training educational personnel directly  
14-2 involved in student learning in the appropriate use of  
14-3 instructional materials and for providing for access to  
14-4 technological equipment for instructional use; and

14-5 (B) the salary and other expenses of an employee  
14-6 who provides technical support for the use of technological  
14-7 equipment directly involved in student learning.

14-8 (b) This section applies beginning with the 2014-2015  
14-9 school year.

14-10 SECTION 23. (a) Subchapter B, Chapter 31, Education Code,  
14-11 is amended by adding Section 31.031 to read as follows:

14-12 Sec. 31.031. COLLEGE PREPARATORY INSTRUCTIONAL MATERIALS.

14-13 (a) A school district may purchase with the district's  
14-14 instructional materials allotment or otherwise acquire  
14-15 instructional materials for use in college preparatory courses  
14-16 under Section 28.014.

14-17 (b) The commissioner shall adopt rules regarding the  
14-18 purchase of instructional materials under this section.

14-19 (b) This section applies beginning with the 2014-2015  
14-20 school year.

14-21 SECTION 24. (a) The heading to Section 33.007, Education  
14-22 Code, is amended to read as follows:

14-23 Sec. 33.007. COUNSELING REGARDING POSTSECONDARY [~~HIGHER~~]  
14-24 EDUCATION.

14-25 (b) This section takes effect beginning with the 2014-2015  
14-26 school year.

14-27 SECTION 25. (a) Sections 33.007(a) and (b), Education  
14-28 Code, are amended to read as follows:

14-29 (a) Each school counselor at an elementary, middle, or  
14-30 junior high school, including an open-enrollment charter school  
14-31 offering those grades, shall advise students and their parents or  
14-32 guardians regarding the importance of postsecondary [~~higher~~]  
14-33 education, coursework designed to prepare students for  
14-34 postsecondary [~~higher~~] education, and financial aid availability  
14-35 and requirements.

14-36 (b) During the first school year a student is enrolled in a  
14-37 high school or at the high school level in an open-enrollment  
14-38 charter school, and again during each [~~a student's senior~~]  
14-39 student's enrollment in high school or at the high school level,  
14-40 a school counselor shall provide information about postsecondary  
14-41 [~~higher~~] education to the student and the student's parent or  
14-42 guardian. The information must include information regarding:

14-43 (1) the importance of postsecondary [~~higher~~]  
14-44 education;

14-45 (2) the advantages of earning an endorsement  
14-46 [~~completing the recommended or advanced high school program~~  
14-47 ~~adopted~~] under Section 28.025 [~~28.025(a)~~];

14-48 (3) the disadvantages of taking courses to prepare for  
14-49 a high school equivalency examination relative to the benefits of  
14-50 taking courses leading to a high school diploma;

14-51 (4) financial aid eligibility;

14-52 (5) instruction on how to apply for federal financial  
14-53 aid;

14-54 (6) the center for financial aid information  
14-55 established under Section 61.0776;

14-56 (7) the automatic admission of certain students to  
14-57 general academic teaching institutions as provided by Section  
14-58 51.803;

14-59 (8) the eligibility and academic performance  
14-60 requirements for the TEXAS Grant as provided by Subchapter M,  
14-61 Chapter 56; and

14-62 (9) the availability of programs in the district under  
14-63 which a student may earn college credit, including advanced  
14-64 placement programs, dual credit programs, joint high school and  
14-65 college credit programs, and international baccalaureate programs.

14-66 (b) This section applies beginning with the 2014-2015  
14-67 school year.

14-68 SECTION 26. (a) Section 39.023, Education Code, is amended  
14-69 by amending Subsections (b), (c), (c-3), (e), and (h) and adding

15-1 Subsections (b-1), (e-1), (e-2), and (e-3) to read as follows:

15-2 (b) The agency shall develop or adopt appropriate  
 15-3 criterion-referenced alternative assessment instruments to be  
 15-4 administered to each student in a special education program under  
 15-5 Subchapter A, Chapter 29, for whom an assessment instrument adopted  
 15-6 under Subsection (a), even with allowable accommodations, would not  
 15-7 provide an appropriate measure of student achievement, as  
 15-8 determined by the student's admission, review, and dismissal  
 15-9 committee, including assessment instruments approved by the  
 15-10 commissioner that measure growth. The assessment instruments  
 15-11 developed or adopted under this subsection, including the  
 15-12 assessment instruments approved by the commissioner, must, to the  
 15-13 extent allowed under federal law, provide a district with options  
 15-14 for the assessment of students under this subsection.

15-15 (b-1) The agency, in conjunction with appropriate  
 15-16 interested persons, shall redevelop assessment instruments adopted  
 15-17 or developed under Subsection (b) for administration to  
 15-18 significantly cognitively disabled students in a manner consistent  
 15-19 with federal law. An assessment instrument under this subsection  
 15-20 may not require a teacher to prepare tasks or materials for a  
 15-21 student who will be administered such an assessment instrument.  
 15-22 Assessment instruments adopted or developed under this subsection  
 15-23 shall be administered not later than the 2014-2015 school year.

15-24 (c) The agency shall also adopt end-of-course assessment  
 15-25 instruments for secondary-level courses in Algebra I, [~~Algebra II,~~  
 15-26 ~~geometry,~~] biology, [~~chemistry, physics,~~] English I, English II,  
 15-27 [~~English III, world geography, world history,~~] and United States  
 15-28 history. The Algebra I [~~, Algebra II, and geometry~~] end-of-course  
 15-29 assessment instrument [~~instruments~~] must be administered with the  
 15-30 aid of technology. The English I and English II end-of-course  
 15-31 assessment instruments must each assess essential knowledge and  
 15-32 skills in both reading and writing in the same assessment  
 15-33 instrument. A school district shall comply with State Board of  
 15-34 Education rules regarding administration of the assessment  
 15-35 instruments listed in this subsection [~~and shall adopt a policy~~  
 15-36 that requires a student's performance on an end-of-course  
 15-37 assessment instrument for a course listed in this subsection in  
 15-38 which the student is enrolled to account for 15 percent of the  
 15-39 student's final grade for the course. If a student retakes an  
 15-40 end-of-course assessment instrument for a course listed in this  
 15-41 subsection, as provided by Section 39.025, a school district is not  
 15-42 required to use the student's performance on the subsequent  
 15-43 administration or administrations of the assessment instrument to  
 15-44 determine the student's final grade for the course]. If a student  
 15-45 is in a special education program under Subchapter A, Chapter 29,  
 15-46 the student's admission, review, and dismissal committee shall  
 15-47 determine whether any allowable modification is necessary in  
 15-48 administering to the student an assessment instrument required  
 15-49 under this subsection. The State Board of Education shall  
 15-50 administer the assessment instruments. The State Board of  
 15-51 Education shall adopt a schedule for the administration of  
 15-52 end-of-course assessment instruments that complies with the  
 15-53 requirements of Subsection (c-3).

15-54 (c-3) In adopting a schedule for the administration of  
 15-55 assessment instruments under this section, the State Board of  
 15-56 Education shall require:

15-57 (1) assessment instruments administered under  
 15-58 Subsection (a) to be administered on a schedule so that the first  
 15-59 assessment instrument is administered at least two weeks later than  
 15-60 the date on which the first assessment instrument was administered  
 15-61 under Subsection (a) during the 2006-2007 school year; and

15-62 (2) the spring administration of end-of-course  
 15-63 assessment instruments under Subsection (c) to occur in each school  
 15-64 district not earlier than the first full week in May, except that  
 15-65 the spring administration of the end-of-course assessment  
 15-66 instruments in English I and[~~] English II [~~, and English III~~] must  
 15-67 be permitted to occur at an earlier date.~~

15-68 (e) Under rules adopted by the State Board of Education,  
 15-69 every third year, the agency shall release the questions and answer

16-1 keys to each assessment instrument administered under Subsection  
 16-2 (a), (b), (c), (d), or (l), excluding any assessment instrument  
 16-3 administered to a student for the purpose of retaking the  
 16-4 assessment instrument, after the last time the instrument is  
 16-5 administered for that school year. To ensure a valid bank of  
 16-6 questions for use each year, the agency is not required to release a  
 16-7 question that is being field-tested and was not used to compute the  
 16-8 student's score on the instrument. The agency shall also release,  
 16-9 under board rule, each question that is no longer being  
 16-10 field-tested and that was not used to compute a student's score.  
 16-11 During the 2014-2015 and 2015-2016 school years, the agency shall  
 16-12 release the questions and answer keys to assessment instruments as  
 16-13 described by this subsection each year.

16-14 (e-1) Under rules adopted by the commissioner, for the  
 16-15 2012-2013 school year, the agency each year shall release the  
 16-16 questions and answer keys to each assessment instrument  
 16-17 administered under Subsection (a), (c), (d), or (l), excluding any  
 16-18 assessment instrument administered to a student for the purpose of  
 16-19 retaking the assessment instrument, after the last time the  
 16-20 instrument is administered for that school year. This subsection  
 16-21 expires December 31, 2013.

16-22 (e-2) Under rules adopted by the commissioner, for the  
 16-23 2013-2014 school year, the agency each year shall release the  
 16-24 questions and answer keys to each assessment instrument  
 16-25 administered under Subsection (b), (c), or (l), excluding any  
 16-26 assessment instrument administered to a student for the purpose of  
 16-27 retaking the assessment instrument and any assessment instrument  
 16-28 covering a subject or course for which the questions and answer keys  
 16-29 for the 2012-2013 assessment instrument covering that subject or  
 16-30 course were released, after the last time the instrument is  
 16-31 administered for the 2013-2014 school year. This subsection expires  
 16-32 December 31, 2014.

16-33 (e-3) Under rules adopted by the commissioner, for the  
 16-34 2013-2014 school year, the agency each year shall release the  
 16-35 questions and answer keys to each assessment instrument  
 16-36 administered under Subsection (a), (b), (c), (d), or (l) during the  
 16-37 2013-2014 school year after the last time any assessment instrument  
 16-38 is administered for the 2013-2014 school year. This subsection  
 16-39 expires December 31, 2014.

16-40 (h) The agency shall notify school districts and campuses of  
 16-41 the results of assessment instruments administered under this  
 16-42 section [~~at the earliest possible date determined by the State~~  
 16-43 ~~Board of Education but~~] not later than the 21st day after the date  
 16-44 the assessment instrument is administered [~~beginning of the~~  
 16-45 ~~subsequent school year~~]. The school district shall disclose to  
 16-46 each district teacher the results of assessment instruments  
 16-47 administered to students taught by the teacher in the subject for  
 16-48 the school year in which the assessment instrument is administered.

16-49 (b) This section applies beginning with the 2013-2014  
 16-50 school year.

16-51 SECTION 27. (a) Section 39.0232, Education Code, is  
 16-52 amended to read as follows:

16-53 Sec. 39.0232. USE OF END-OF-COURSE ASSESSMENT INSTRUMENT AS  
 16-54 PLACEMENT INSTRUMENT; CERTAIN USES PROHIBITED. (a) To the extent  
 16-55 practicable, the agency shall ensure that any high school  
 16-56 end-of-course assessment instrument developed by the agency is  
 16-57 developed in such a manner that the assessment instrument may be  
 16-58 used to determine the appropriate placement of a student in a course  
 16-59 of the same subject matter at an institution of higher education.

16-60 (b) A student's performance on an end-of-course assessment  
 16-61 instrument may not be used:

16-62 (1) in determining the student's class ranking for any  
 16-63 purpose, including entitlement to automatic college admission  
 16-64 under Section 51.803 or 51.804; or

16-65 (2) as a sole criterion in the determination of  
 16-66 whether to admit the student to a general academic teaching  
 16-67 institution in this state.

16-68 (c) Subsection (b)(2) does not prohibit a general academic  
 16-69 teaching institution from implementing an admission policy that

17-1 takes into consideration a student's performance on an  
 17-2 end-of-course assessment instrument in addition to other criteria.

17-3 (d) In this section, "general academic teaching  
 17-4 institution" has the meaning assigned by Section 61.003.

17-5 (b) This section applies beginning with the 2013-2014  
 17-6 school year.

17-7 SECTION 28. (a) Section 39.0233(a), Education Code, is  
 17-8 amended to read as follows:

17-9 (a) The agency, in coordination with the Texas Higher  
 17-10 Education Coordinating Board, shall adopt a series of questions to  
 17-11 be included in an end-of-course assessment instrument administered  
 17-12 under Section 39.023(c) to be used for purposes of Section 51.3062.  
 17-13 The questions adopted under this subsection must be developed in a  
 17-14 manner consistent with any college readiness standards adopted  
 17-15 under Sections 39.233 [~~39.113~~] and 51.3062.

17-16 (b) This section applies beginning with the 2013-2014  
 17-17 school year.

17-18 SECTION 29. (a) Section 39.025, Education Code, is amended  
 17-19 by amending Subsections (a), (a-1), (a-2), and (b) and adding  
 17-20 Subsection (a-4) to read as follows:

17-21 (a) The commissioner shall adopt rules requiring a student  
 17-22 participating in the recommended or advanced high school program to  
 17-23 be administered each end-of-course assessment instrument listed in  
 17-24 Section 39.023(c) and requiring a student participating in the  
 17-25 minimum high school program to be administered an end-of-course  
 17-26 assessment instrument listed in Section 39.023(c) only for a course  
 17-27 in which the student is enrolled and for which an end-of-course  
 17-28 assessment instrument is administered. A student is required to  
 17-29 achieve[~~, in each subject in the foundation curriculum under~~  
 17-30 ~~Section 28.002(a)(1), a cumulative score that is at least equal to~~  
 17-31 ~~the product of the number of end-of-course assessment instruments~~  
 17-32 ~~administered to the student in that subject and] a scale score that~~  
 17-33 ~~indicates satisfactory performance, as determined by the~~  
 17-34 ~~commissioner under Section 39.0241(a), on each end-of-course~~  
 17-35 ~~assessment instrument listed under Section 39.023(c) that is~~  
 17-36 ~~administered to the student as provided by this subsection. For~~  
 17-37 ~~each scale score required under this subsection that is not based on~~  
 17-38 ~~a 100-point scale scoring system, the commissioner shall provide~~  
 17-39 ~~for conversion, in accordance with commissioner rule, of the scale~~  
 17-40 ~~score to an equivalent score based on a 100-point scale scoring~~  
 17-41 ~~system. [A student must achieve a minimum score as determined by~~  
 17-42 ~~the commissioner to be within a reasonable range of the scale score~~  
 17-43 ~~under Section 39.0241(a) on an end-of-course assessment instrument~~  
 17-44 ~~for the score to count towards the student's cumulative score. For~~  
 17-45 ~~purposes of this subsection, a student's cumulative score is~~  
 17-46 ~~determined using the student's highest score on each end-of-course~~  
 17-47 ~~assessment instrument administered to the student.] A student may~~  
 17-48 ~~not receive a high school diploma until the student has performed~~  
 17-49 ~~satisfactorily on [the] end-of-course assessment instruments in~~  
 17-50 ~~the manner provided under this subsection. This subsection does~~  
 17-51 ~~not require a student to demonstrate readiness to enroll in an~~  
 17-52 ~~institution of higher education.~~

17-53 (a-1) A student enrolled in a college preparatory course  
 17-54 under Section 28.014 who satisfies the Texas Success Initiative  
 17-55 (TSI) college readiness benchmarks prescribed by the Texas Higher  
 17-56 Education Coordinating Board under Section 51.3062(f) on an  
 17-57 assessment instrument designated by the Texas Higher Education  
 17-58 Coordinating Board under Section 51.3062(c) administered at the end  
 17-59 of the college preparatory course satisfies the requirements  
 17-60 concerning an end-of-course assessment in an equivalent course as  
 17-61 prescribed by Subsection (a). The commissioner [~~by rule~~] shall  
 17-62 determine a method by which a student's satisfactory performance on  
 17-63 an advanced placement test, an international baccalaureate  
 17-64 examination, an SAT Subject Test, the SAT, the ACT, or any  
 17-65 nationally recognized norm-referenced [~~another~~] assessment  
 17-66 instrument used by institutions of higher education to award course  
 17-67 credit based on satisfactory performance on the [~~determined by the~~  
 17-68 ~~commissioner to be at least as rigorous as an end-of-course~~]  
 17-69 assessment instrument shall [~~adopted under Section 39.023(c) may~~]

18-1 be used to satisfy ~~[as a factor in determining whether the student~~  
 18-2 ~~satisfies]~~ the requirements concerning an end-of-course assessment  
 18-3 instrument in an equivalent course as prescribed by ~~[of]~~ Subsection  
 18-4 (a) ~~[, including the cumulative score requirement of that~~  
 18-5 ~~subsection].~~ The commissioner shall ~~[by rule may]~~ determine a  
 18-6 method by which a student's satisfactory performance on the PSAT ~~[a~~  
 18-7 ~~Preliminary Scholastic Assessment Test (PSAT) assessment]~~ or the  
 18-8 ACT-Plan shall ~~[a preliminary American College Test (ACT)~~  
 18-9 ~~assessment may]~~ be used to satisfy ~~[as a factor in determining~~  
 18-10 ~~whether the student satisfies]~~ the requirements concerning an  
 18-11 end-of-course assessment instrument in an equivalent course as  
 18-12 prescribed by ~~[of]~~ Subsection (a). A student who fails to perform  
 18-13 satisfactorily on a test or other assessment instrument authorized  
 18-14 under this subsection, other than the PSAT or the ACT-Plan, may  
 18-15 retake that test or other assessment instrument for purposes of  
 18-16 this subsection or may take the appropriate end-of-course  
 18-17 assessment instrument. A student who fails to perform  
 18-18 satisfactorily on the PSAT or the ACT-Plan must take the  
 18-19 appropriate end-of-course assessment instrument. The commissioner  
 18-20 shall adopt rules as necessary for the administration of this  
 18-21 subsection.

18-22 (a-2) This subsection applies only to a student who, before  
 18-23 entering the ninth grade in the 2011-2012 or 2012-2013 school year,  
 18-24 completed a course before the 2011-2012 school year in a subject for  
 18-25 which the student received high school credit and for which an  
 18-26 end-of-course assessment instrument under Section 39.023 is  
 18-27 required during the 2013-2014 school year or a later school year,  
 18-28 such as Algebra I. The commissioner shall determine a method by  
 18-29 which a student's satisfactory performance on an end-of-course  
 18-30 assessment instrument for a course in the same general subject area  
 18-31 in which the student is enrolled during or after the ninth grade,  
 18-32 such as geometry, shall be used to satisfy the requirements for the  
 18-33 end-of-course assessment instrument for the course completed  
 18-34 before entering the ninth grade and before the 2011-2012 school  
 18-35 year. The commissioner shall adopt rules as necessary for the  
 18-36 administration of this section. This subsection expires September  
 18-37 1, 2016 ~~[In addition to the cumulative score requirements under~~  
 18-38 ~~Subsection (a), a student must achieve a score that meets or exceeds~~  
 18-39 ~~the score determined by the commissioner under Section 39.0241(a)~~  
 18-40 ~~for English III and Algebra II end-of-course assessment instruments~~  
 18-41 ~~to graduate under the recommended high school program].~~

18-42 (a-4) The admission, review, and dismissal committee of a  
 18-43 student in a special education program under Subchapter A, Chapter  
 18-44 29, shall determine whether, to receive a high school diploma, the  
 18-45 student is required to achieve satisfactory performance on  
 18-46 end-of-course assessment instruments.

18-47 (b) Each time an end-of-course assessment instrument  
 18-48 adopted under Section 39.023(c) is administered, a student who  
 18-49 failed to achieve a ~~[minimum]~~ score requirement under Subsection  
 18-50 (a) may ~~[shall]~~ retake the assessment instrument. ~~[A student who~~  
 18-51 ~~fails to perform satisfactorily on an Algebra II or English III~~  
 18-52 ~~end-of-course assessment instrument under the college readiness~~  
 18-53 ~~performance standard, as provided under Section 39.024(b), may~~  
 18-54 ~~retake the assessment instrument. Any other student may retake an~~  
 18-55 ~~end-of-course assessment instrument for any reason.]~~ A student is  
 18-56 not required to retake a course as a condition of retaking an  
 18-57 end-of-course assessment instrument.

18-58 (b) This section applies beginning with the 2013-2014  
 18-59 school year.

18-60 SECTION 30. (a) Effective September 1, 2014, Section  
 18-61 39.025(a), Education Code, is amended to read as follows:

18-62 (a) The commissioner shall adopt rules requiring a student  
 18-63 ~~[participating]~~ in the foundation ~~[recommended or advanced]~~ high  
 18-64 school program under Section 28.025 to be administered each  
 18-65 end-of-course assessment instrument listed in Section 39.023(c)  
 18-66 ~~[and requiring a student participating in the minimum high school~~  
 18-67 ~~program to be administered an end-of-course assessment instrument~~  
 18-68 ~~listed in Section 39.023(c) only for a course in which the student~~  
 18-69 ~~is enrolled and for which an end-of-course assessment instrument is~~

19-1 ~~administered]. A student is required to achieve[~~, in each subject~~~~  
 19-2 ~~in the foundation curriculum under Section 28.002(a)(1), a~~  
 19-3 ~~cumulative score that is at least equal to the product of the number~~  
 19-4 ~~of end-of-course assessment instruments administered to the~~  
 19-5 ~~student in that subject and] a scale score that indicates~~  
 19-6 satisfactory performance, as determined by the commissioner under  
 19-7 Section 39.0241(a), on each end-of-course assessment instrument  
 19-8 listed under Section 39.023(c). For each scale score required  
 19-9 under this subsection that is not based on a 100-point scale scoring  
 19-10 system, the commissioner shall provide for conversion, in  
 19-11 accordance with commissioner rule, of the scale score to an  
 19-12 equivalent score based on a 100-point scale scoring system. [A  
 19-13 ~~student must achieve a minimum score as determined by the~~  
 19-14 ~~commissioner to be within a reasonable range of the scale score~~  
 19-15 ~~under Section 39.0241(a) on an end-of-course assessment instrument~~  
 19-16 ~~for the score to count towards the student's cumulative score. For~~  
 19-17 ~~purposes of this subsection, a student's cumulative score is~~  
 19-18 ~~determined using the student's highest score on each end-of-course~~  
 19-19 ~~assessment instrument administered to the student.] A student may~~  
 19-20 not receive a high school diploma until the student has performed  
 19-21 satisfactorily on [the] end-of-course assessment instruments in  
 19-22 the manner provided under this subsection. This subsection does  
 19-23 not require a student to demonstrate readiness to enroll in an  
 19-24 institution of higher education.

19-25 (b) This section applies beginning with the 2014-2015  
 19-26 school year.

19-27 SECTION 31. (a) Section 39.0261(a), Education Code, is  
 19-28 amended to read as follows:

19-29 (a) In addition to the assessment instruments otherwise  
 19-30 authorized or required by this subchapter:

19-31 (1) each school year and at state cost, a school  
 19-32 district shall administer to students in the spring of the eighth  
 19-33 grade an established, valid, reliable, and nationally  
 19-34 norm-referenced preliminary college preparation assessment  
 19-35 instrument for the purpose of diagnosing the academic strengths and  
 19-36 deficiencies of students before entrance into high school;

19-37 (2) each school year and at state cost, a school  
 19-38 district shall administer to students in the 10th grade an  
 19-39 established, valid, reliable, and nationally norm-referenced  
 19-40 preliminary college preparation assessment instrument for the  
 19-41 purpose of measuring a student's progress toward readiness for  
 19-42 college and the workplace; and

19-43 (3) each school year and at state cost, a school  
 19-44 district shall administer to middle school students in the spring  
 19-45 of the 8th grade either the SAT Subject Tests or the ACT Explore,  
 19-46 and to high school students in the spring of the 10th grade either  
 19-47 the PSAT or the ACT-Plan, and to high school students in the spring  
 19-48 of the 11th grade either the SAT or the ACT, as determined by the  
 19-49 district, to determine college readiness [or during the 12th grade  
 19-50 may select and take once, at state cost, one of the valid, reliable,  
 19-51 and nationally norm-referenced assessment instruments used by  
 19-52 colleges and universities as part of their undergraduate admissions  
 19-53 processes].

19-54 (b) This section applies beginning with the 2013-2014  
 19-55 school year.

19-56 SECTION 32. (a) Subchapter B, Chapter 39, Education Code,  
 19-57 is amended by adding Section 39.0263 to read as follows:

19-58 Sec. 39.0263. ADMINISTRATION OF DISTRICT-REQUIRED  
 19-59 BENCHMARK ASSESSMENT INSTRUMENTS TO PREPARE STUDENTS FOR  
 19-60 STATE-ADMINISTERED ASSESSMENT INSTRUMENTS. (a) In this section,  
 19-61 "benchmark assessment instrument" means a district-required  
 19-62 assessment instrument designed to prepare students for a  
 19-63 corresponding state-administered assessment instrument.

19-64 (b) Except as provided by Subsection (c), a school district  
 19-65 may not administer to any student more than two benchmark  
 19-66 assessment instruments to prepare the student for a corresponding  
 19-67 state-administered assessment instrument.

19-68 (c) The prohibition prescribed by this section does not  
 19-69 apply to the administration of a college preparation assessment

20-1 instrument, including the PSAT, the ACT-Plan, the SAT, or the ACT,  
 20-2 an advanced placement test, an international baccalaureate  
 20-3 examination, or an independent classroom examination designed or  
 20-4 adopted and administered by a classroom teacher.

20-5 (d) A parent of or person standing in parental relation to a  
 20-6 student who has special needs, as determined in accordance with  
 20-7 commissioner rule, may request administration to the student of  
 20-8 additional benchmark assessment instruments.

20-9 (b) This section applies beginning with the 2013-2014  
 20-10 school year.

20-11 SECTION 33. (a) Section 39.027, Education Code, is amended  
 20-12 by adding Subsection (a-2) to read as follows:

20-13 (a-2) Unless a student is enrolled in a school in the United  
 20-14 States for a period of at least 60 consecutive days during a year,  
 20-15 the student may not be considered to be enrolled in a school in the  
 20-16 United States for that year for the purpose of determining a number  
 20-17 of years under Subsection (a)(1), (2), or (3).

20-18 (b) This section applies beginning with the 2013-2014  
 20-19 school year.

20-20 SECTION 34. (a) Section 39.0301, Education Code, is  
 20-21 amended by adding Subsection (a-1) to read as follows:

20-22 (a-1) In establishing procedures for the administration of  
 20-23 assessment instruments under Subsection (a)(1), the commissioner  
 20-24 shall ensure that the procedures are designed to minimize  
 20-25 disruptions to school operations and the classroom environment. In  
 20-26 implementing the procedures established for the administration of  
 20-27 assessment instruments under Subsection (a)(1), a school district  
 20-28 shall minimize disruptions to school operations and the classroom  
 20-29 environment.

20-30 (b) This section applies beginning with the 2013-2014  
 20-31 school year.

20-32 SECTION 35. Subchapter B, Chapter 39, Education Code, is  
 20-33 amended by adding Section 39.038 to read as follows:

20-34 Sec. 39.038. RESTRICTION ON APPOINTMENTS TO ADVISORY  
 20-35 COMMITTEES. The commissioner may not appoint a person to a  
 20-36 committee or panel that advises the commissioner or agency  
 20-37 regarding state accountability systems under this title or the  
 20-38 content or administration of an assessment instrument if the person  
 20-39 is reimbursed, retained, or employed by an assessment instrument  
 20-40 vendor.

20-41 SECTION 36. (a) Subchapter B, Chapter 39, Education Code,  
 20-42 is amended by adding Section 39.039 to read as follows:

20-43 Sec. 39.039. PROHIBITION ON POLITICAL CONTRIBUTION OR  
 20-44 ACTIVITY BY CERTAIN CONTRACTORS. (a) A person who is an agent of an  
 20-45 entity that has been contracted to develop or implement assessment  
 20-46 instruments required under Section 39.023 commits an offense if the  
 20-47 person makes or authorizes a political contribution to or takes  
 20-48 part in, directly or indirectly, the campaign of any person seeking  
 20-49 election to or serving on the State Board of Education.

20-50 (b) A person who is an agent of an entity that has been  
 20-51 contracted to develop or implement assessment instruments required  
 20-52 under Section 39.023 commits an offense if the person serves as a  
 20-53 member of a formal or informal advisory committee established by  
 20-54 the commissioner, agency staff, or the State Board of Education to  
 20-55 advise the commissioner, agency staff, or the State Board of  
 20-56 Education regarding policies or implementation of the requirements  
 20-57 of this subchapter.

20-58 (c) An offense under this section is a Class B misdemeanor.

20-59 (b) This section applies September 1, 2013.

20-60 SECTION 37. (a) Section 39.053, Education Code, is amended  
 20-61 by amending Subsections (c) and (g-1) and adding Subsections (c-1)  
 20-62 and (c-2) to read as follows:

20-63 (c) Indicators of student achievement adopted under this  
 20-64 section must include:

20-65 (1) the results of assessment instruments required  
 20-66 under Sections 39.023(a), (c), and (l), including the results of  
 20-67 assessment instruments required for graduation retaken by a  
 20-68 student, aggregated across grade levels by subject area, including:

20-69 (A) for the performance standard determined by

21-1 the commissioner under Section 39.0241(a):

21-2 (i) the percentage of students who

21-3 performed satisfactorily on the assessment instruments, aggregated

21-4 across grade levels by subject area; and

21-5 (ii) for students who did not perform

21-6 satisfactorily, the percentage of students who met the standard for

21-7 annual improvement, as determined by the agency under Section

21-8 39.034, on the assessment instruments, aggregated across grade

21-9 levels by subject area; and

21-10 (B) for the college readiness performance

21-11 standard as determined under Section 39.0241:

21-12 (i) the percentage of students who

21-13 performed satisfactorily on the assessment instruments, aggregated

21-14 across grade levels by subject area; and

21-15 (ii) for students who did not perform

21-16 satisfactorily, the percentage of students who met the standard for

21-17 annual improvement, as determined by the agency under Section

21-18 39.034, on the assessment instruments, aggregated across grade

21-19 levels by subject area;

21-20 (2) dropout rates, including dropout rates and

21-21 district completion rates for grade levels 9 through 12, computed

21-22 in accordance with standards and definitions adopted by the

21-23 National Center for Education Statistics of the United States

21-24 Department of Education; ~~and~~

21-25 (3) high school graduation rates, computed in

21-26 accordance with standards and definitions adopted in compliance

21-27 with the No Child Left Behind Act of 2001 (20 U.S.C. Section 6301 et

21-28 seq.);

21-29 (4) the percentage of students who successfully

21-30 completed the curriculum requirements for an endorsement under

21-31 Section 28.025(c-1); and

21-32 (5) at least three additional indicators of student

21-33 achievement to evaluate district and campus performance, which must

21-34 include either:

21-35 (A) the percentage of students who satisfy the

21-36 Texas Success Initiative (TSI) college readiness benchmarks

21-37 prescribed by the Texas Higher Education Coordinating Board under

21-38 Section 51.3062(f) on an assessment instrument in reading,

21-39 writing, or mathematics designated by the Texas Higher Education

21-40 Coordinating Board under Section 51.3062(c); or

21-41 (B) the number of students who earn:

21-42 (i) at least 12 hours of postsecondary

21-43 credit required for the foundation high school program under

21-44 Section 28.025 or to earn an endorsement under Section 28.025(c-1);

21-45 (ii) at least 30 hours of postsecondary

21-46 credit required for the foundation high school program under

21-47 Section 28.025 or to earn an endorsement under Section 28.025(c-1);

21-48 (iii) an associate's degree; or

21-49 (iv) an industry certification.

21-50 (c-1) An indicator adopted under this section that would

21-51 measure improvements in student achievement cannot negatively

21-52 affect the commissioner's review of a school district or campus if

21-53 that district or campus is already achieving at the highest level

21-54 for that indicator.

21-55 (c-2) The commissioner by rule shall determine a method by

21-56 which a student's performance may be included in determining the

21-57 performance rating of a school district or campus under Section

21-58 39.054 if, before the student graduates, the student:

21-59 (1) satisfies the Texas Success Initiative (TSI)

21-60 college readiness benchmarks prescribed by the Texas Higher

21-61 Education Coordinating Board under Section 51.3062(f) on an

21-62 assessment instrument designated by the Texas Higher Education

21-63 Coordinating Board under Section 51.3062(c); or

21-64 (2) performs satisfactorily on an assessment

21-65 instrument under Section 39.023(c), notwithstanding Subsection

21-66 (d).

21-67 (g-1) In computing dropout and completion rates under

21-68 Subsection (c)(2), the commissioner shall exclude:

21-69 (1) students who are ordered by a court to attend a

22-1 high school equivalency certificate program but who have not yet  
22-2 earned a high school equivalency certificate;

22-3 (2) students who were previously reported to the state  
22-4 as dropouts, including a student who is reported as a dropout,  
22-5 reenrolls, and drops out again, regardless of the number of times of  
22-6 reenrollment and dropping out;

22-7 (3) students in attendance who are not in membership  
22-8 for purposes of average daily attendance;

22-9 (4) students whose initial enrollment in a school in  
22-10 the United States in grades 7 through 12 was as unschooled refugees  
22-11 or asylees as defined by Section 39.027(a-1);

22-12 (5) students who are in the district exclusively as a  
22-13 function of having been detained at a county detention facility but  
22-14 are otherwise not students of the district in which the facility is  
22-15 located; and

22-16 (6) students who are incarcerated in state jails and  
22-17 federal penitentiaries as adults and as persons certified to stand  
22-18 trial as adults.

22-19 (b) This section applies beginning with the 2013-2014  
22-20 school year.

22-21 SECTION 38. (a) Section 39.053(f), Education Code, is  
22-22 amended to read as follows:

22-23 (f) Annually, the commissioner shall define the state  
22-24 standard for the current school year for each student achievement  
22-25 indicator described by Subsection (c) and shall project the state  
22-26 standards for each indicator for the following two school years.  
22-27 The commissioner shall periodically raise the state standards for  
22-28 the student achievement indicator described by Subsection  
22-29 (c)(1)(B)(i) for accreditation as necessary to reach the goals of  
22-30 achieving, by not later than the 2019-2020 school year:

22-31 (1) student performance in this state, disaggregated  
22-32 by race, ethnicity, and socioeconomic status, that ranks nationally  
22-33 in the top 10 states in terms of college readiness; and

22-34 (2) student performance, ~~including the percentage of~~  
22-35 ~~students graduating under the recommended or advanced high school~~  
22-36 ~~program,~~ with no significant achievement gaps by race, ethnicity,  
22-37 and socioeconomic status.

22-38 (b) This section applies beginning with the 2014-2015  
22-39 school year.

22-40 SECTION 39. (a) Subchapter C, Chapter 39, Education Code,  
22-41 is amended by adding Section 39.0541 to read as follows:

22-42 Sec. 39.0541. STANDARDS FOR EVALUATING COMPLETION AND  
22-43 DROPOUT RATES. For purposes of evaluating a school district or  
22-44 campus or an open-enrollment charter school for adequate yearly  
22-45 progress under the No Child Left Behind Act of 2001 (20 U.S.C.  
22-46 Section 6301 et seq.) and, notwithstanding Section 39.053(c)(2),  
22-47 for accountability under this chapter and for performance under an  
22-48 agency performance-based monitoring analysis system:

22-49 (1) a student who graduates from a school district  
22-50 campus or open-enrollment charter school is considered a high  
22-51 school graduate of the campus or school regardless of whether the  
22-52 student graduates with the student's ninth grade cohort; and

22-53 (2) consistent with Section 39.053(g-1)(2), a student  
22-54 who was previously reported to the state as a dropout, including a  
22-55 student who is reported as a dropout, reenrolls, and drops out  
22-56 again, regardless of the number of times of reenrollment and  
22-57 dropping out, shall be excluded in computing completion and dropout  
22-58 rates.

22-59 (b) This section applies beginning with the 2013-2014  
22-60 school year.

22-61 SECTION 40. Section 39.056, Education Code, is amended by  
22-62 adding Subsection (f) to read as follows:

22-63 (f) A district that takes action with regard to the  
22-64 recommendations provided by the investigators as prescribed by  
22-65 Subsection (e) shall make a reasonable effort to seek assistance  
22-66 from a third party in developing an action plan to improve district  
22-67 performance using improvement techniques that are goal oriented and  
22-68 research based.

22-69 SECTION 41. (a) Section 39.057(a), Education Code, is

23-1 amended to read as follows:

23-2 (a) The commissioner shall authorize special accreditation  
23-3 investigations to be conducted:

23-4 (1) when excessive numbers of absences of students  
23-5 eligible to be tested on state assessment instruments are  
23-6 determined;

23-7 (2) when excessive numbers of allowable exemptions  
23-8 from the required state assessment instruments are determined;

23-9 (3) in response to complaints submitted to the agency  
23-10 with respect to alleged violations of civil rights or other  
23-11 requirements imposed on the state by federal law or court order;

23-12 (4) in response to established compliance reviews of  
23-13 the district's financial accounting practices and state and federal  
23-14 program requirements;

23-15 (5) when extraordinary numbers of student placements  
23-16 in disciplinary alternative education programs, other than  
23-17 placements under Sections 37.006 and 37.007, are determined;

23-18 (6) in response to an allegation involving a conflict  
23-19 between members of the board of trustees or between the board and  
23-20 the district administration if it appears that the conflict  
23-21 involves a violation of a role or duty of the board members or the  
23-22 administration clearly defined by this code;

23-23 (7) when excessive numbers of students in special  
23-24 education programs under Subchapter A, Chapter 29, are assessed  
23-25 through assessment instruments developed or adopted under Section  
23-26 39.023(b);

23-27 (8) in response to an allegation regarding or an  
23-28 analysis using a statistical method result indicating a possible  
23-29 violation of an assessment instrument security procedure  
23-30 established under Section 39.0301, including for the purpose of  
23-31 investigating or auditing a school district under that section;

23-32 (9) when a significant pattern of decreased academic  
23-33 performance has developed as a result of the promotion in the  
23-34 preceding two school years of students who did not perform  
23-35 satisfactorily as determined by the commissioner under Section  
23-36 39.0241(a) on assessment instruments administered under Section  
23-37 39.023(a), (c), or (l);

23-38 (10) ~~when excessive numbers of students graduate~~  
23-39 ~~under the minimum high school program;~~

23-40 ~~[(11)]~~ when excessive numbers of students eligible to  
23-41 enroll fail to complete an Algebra II course or any other advanced  
23-42 course as determined by the commissioner ~~[as distinguishing between~~  
23-43 ~~students participating in the recommended high school program from~~  
23-44 ~~students participating in the minimum high school program];~~

23-45 (11) [(12)] when resource allocation practices as  
23-46 evaluated under Section 39.0821 indicate a potential for  
23-47 significant improvement in resource allocation; ~~[or]~~

23-48 (12) when a disproportionate number of students of a  
23-49 particular demographic group is graduating with a particular  
23-50 endorsement under Section 28.025(c-1);

23-51 (13) when an excessive number of students is  
23-52 graduating with a particular endorsement under Section  
23-53 28.025(c-1); or

23-54 (14) [(13)] as the commissioner otherwise determines  
23-55 necessary.

23-56 (b) This section applies beginning with the 2014-2015  
23-57 school year.

23-58 SECTION 42. (a) Section 39.0823, Education Code, is  
23-59 amended by amending Subsection (a) and adding Subsection (d) to  
23-60 read as follows:

23-61 (a) If the commissioner, based on the indicators adopted  
23-62 under Section 39.082 or other relevant information, projects a  
23-63 [review process under Section 39.0822 indicates a projected]  
23-64 deficit for a school district or open-enrollment charter school  
23-65 general fund within the following three school years, the agency  
23-66 [district] shall provide the district or school [agency] interim  
23-67 financial reports, including projected revenues and expenditures  
23-68 [supplemented by staff and student count data, as needed], to  
23-69 evaluate the [district's] current budget status of the district or

24-1 school.  
 24-2 (d) The agency may require a district or open-enrollment  
 24-3 charter school to submit additional information needed to produce a  
 24-4 financial report under Subsection (a). If a district or school  
 24-5 fails to provide information requested under this subsection or if  
 24-6 the commissioner determines that the information submitted by a  
 24-7 district or school is unreliable, the commissioner may order the  
 24-8 district or school to acquire professional services as provided by  
 24-9 Section 39.109.

24-10 (b) This section applies beginning with the 2014-2015  
 24-11 school year.

24-12 SECTION 43. (a) Subchapter D, Chapter 39, Education Code,  
 24-13 is amended by adding Section 39.0824 to read as follows:

24-14 Sec. 39.0824. CORRECTIVE ACTION PLAN. (a) A school  
 24-15 district or open-enrollment charter school assigned a failing  
 24-16 rating under Section 39.082 shall submit to the commissioner a  
 24-17 corrective action plan to address the financial weaknesses of the  
 24-18 district or school. A corrective action plan must identify the  
 24-19 specific areas of financial weaknesses, such as financial  
 24-20 weaknesses in transportation, curriculum, or teacher development,  
 24-21 and include strategies for improvement.

24-22 (b) The commissioner may impose appropriate sanctions under  
 24-23 Subchapter E against a district or school failing to submit or  
 24-24 implement a corrective action plan required under Subsection (a).

24-25 (b) This section applies beginning with the 2014-2015  
 24-26 school year.

24-27 SECTION 44. (a) Section 39.083(b), Education Code, is  
 24-28 amended to read as follows:

24-29 (b) The annual financial management report must include:

24-30 (1) a description of the district's financial  
 24-31 management performance based on a comparison, provided by the  
 24-32 agency, of the district's performance on the indicators adopted  
 24-33 under Section 39.082(b) to:

24-34 (A) state-established standards; and  
 24-35 (B) the district's previous performance on the  
 24-36 indicators; and

24-37 (2) ~~[a description of the data submitted using the~~  
 24-38 ~~electronic-based program developed under Section 39.0822; and~~

24-39 ~~[(3)] any descriptive information required by the~~  
 24-40 ~~commissioner.~~

24-41 (b) This section applies beginning with the 2014-2015  
 24-42 school year.

24-43 SECTION 45. (a) Section 39.201(a), Education Code, is  
 24-44 amended to read as follows:

24-45 (a) Not later than August 8 of each year, the commissioner  
 24-46 shall award distinction designations for outstanding performance  
 24-47 as provided by ~~under~~ this subchapter. A distinction designation  
 24-48 awarded to a district or campus under this subchapter shall be  
 24-49 referenced directly in connection with the performance rating  
 24-50 assigned to the district or campus and made publicly available  
 24-51 together with the performance ratings as provided by rules adopted  
 24-52 under Section 39.054(a).

24-53 (b) This section applies beginning with the 2013-2014  
 24-54 school year.

24-55 SECTION 46. (a) Section 39.202, Education Code, is amended  
 24-56 to read as follows:

24-57 Sec. 39.202. ACADEMIC ~~[EXCELLENCE]~~ DISTINCTION DESIGNATION  
 24-58 FOR DISTRICTS AND CAMPUSES. The commissioner by rule shall  
 24-59 establish ~~[a recognized and exemplary rating for awarding districts~~  
 24-60 ~~and campuses]~~ an academic distinction designation for districts and  
 24-61 campuses for outstanding performance in attainment of  
 24-62 postsecondary readiness ~~[under this subchapter]. The ~~[In~~~~  
 24-63 establishing the recognized and exemplary ratings, the]  
 24-64 commissioner shall adopt criteria for the designation under this  
 24-65 section ~~[ratings]~~, including:

24-66 (1) percentages of students who:

24-67 (A) performed satisfactorily, as determined  
 24-68 under the college readiness performance standard under Section  
 24-69 39.0241, on assessment instruments required under Section

25-1 39.023(a), (b), (c), or (l), aggregated across grade levels by  
 25-2 subject area; or

25-3 (B) met the standard for annual improvement, as  
 25-4 determined by the agency under Section 39.034, on assessment  
 25-5 instruments required under Section 39.023(a), (b), (c), or (l),  
 25-6 aggregated across grade levels by subject area, for students who  
 25-7 did not perform satisfactorily as described by Paragraph (A);

25-8 (2) percentages of:

25-9 (A) students who earned a nationally or  
 25-10 internationally recognized business or industry certification or  
 25-11 license;

25-12 (B) students who completed a coherent sequence of  
 25-13 career and technical courses;

25-14 (C) students who completed a dual credit course  
 25-15 or an articulated postsecondary course provided for local credit;

25-16 (D) students who achieved applicable college  
 25-17 readiness benchmarks or the equivalent on the PSAT, the SAT, the  
 25-18 ACT, or the ACT-Plan; and

25-19 (E) students who received a score on either an  
 25-20 advanced placement test or an international baccalaureate  
 25-21 examination to be awarded college credit; and

25-22 (3) ~~(2)~~ other factors for determining sufficient  
 25-23 student attainment of postsecondary readiness.

25-24 (b) This section applies beginning with the 2013-2014  
 25-25 school year.

25-26 SECTION 47. (a) Section 39.203, Education Code, is amended  
 25-27 to read as follows:

25-28 Sec. 39.203. CAMPUS DISTINCTION DESIGNATIONS. (a) The  
 25-29 commissioner shall award a campus a distinction designation for  
 25-30 outstanding performance in improvement in student achievement if  
 25-31 the campus is ranked in the top 25 percent of campuses in the state  
 25-32 in annual improvement in student achievement as determined under  
 25-33 Section 39.034.

25-34 (b) In addition to the distinction designation described by  
 25-35 Subsection (a), the commissioner shall award a campus a distinction  
 25-36 designation for outstanding performance in closing student  
 25-37 achievement differentials if the campus demonstrates an ability to  
 25-38 significantly diminish or eliminate performance differentials  
 25-39 between student subpopulations and is ranked in the top 25 percent  
 25-40 of campuses in this state under the performance criteria described  
 25-41 by this subsection. The commissioner shall adopt rules related to  
 25-42 the distinction designation under this subsection to ensure that a  
 25-43 campus does not artificially diminish or eliminate performance  
 25-44 differentials through inhibiting the achievement of the highest  
 25-45 achieving student subpopulation.

25-46 (c) In addition to the distinction designations described  
 25-47 by Subsections (a) and (b), a campus that satisfies the criteria  
 25-48 developed under Section 39.204 shall be awarded a distinction  
 25-49 designation by the commissioner for outstanding performance in ~~for~~  
 25-50 ~~the following programs or the following specific categories of~~  
 25-51 ~~performance:~~

25-52 ~~[(1)] academic achievement in English language arts,~~  
 25-53 ~~mathematics, science, or social studies[+]~~

25-54 ~~[(2) fine arts,]~~

25-55 ~~[(3) physical education,]~~

25-56 ~~[(4) 21st Century Workforce Development program; and]~~

25-57 ~~[(5) second language acquisition program].~~

25-58 (d) In addition to the distinction designations otherwise  
 25-59 described by this section, the commissioner may award a distinction  
 25-60 designation for outstanding performance in advanced middle or  
 25-61 junior high school student achievement to a campus with a  
 25-62 significant number of students below grade nine who perform  
 25-63 satisfactorily on an end-of-course assessment instrument  
 25-64 administered under Section 39.023(c).

25-65 (b) This section applies beginning with the 2013-2014  
 25-66 school year.

25-67 SECTION 48. (a) Section 39.301(c), Education Code, is  
 25-68 amended to read as follows:

25-69 (c) Indicators for reporting purposes must include:

26-1 (1) the percentage of graduating students who meet the  
 26-2 course requirements established under Section 28.025(c-1) for  
 26-3 endorsements under that section [~~by State Board of Education rule~~  
 26-4 ~~for the minimum high school program, the recommended high school~~  
 26-5 ~~program, and the advanced high school program~~];

26-6 (2) the results of the SAT, ACT, articulated  
 26-7 postsecondary degree programs described by Section 61.852, and  
 26-8 certified workforce training programs described by Chapter 311,  
 26-9 Labor Code;

26-10 (3) for students who have failed to perform  
 26-11 satisfactorily, under each performance standard under Section  
 26-12 39.0241, on an assessment instrument required under Section  
 26-13 39.023(a) or (c), the performance of those students on subsequent  
 26-14 assessment instruments required under those sections, aggregated  
 26-15 by grade level and subject area;

26-16 (4) for each campus, the number of students,  
 26-17 disaggregated by major student subpopulations, that [~~agree under~~  
 26-18 ~~Section 28.025(b) to~~] take courses under the foundation [~~minimum~~]  
 26-19 high school program and take additional courses to earn an  
 26-20 endorsement under Section 28.025(c-1), disaggregated by type of  
 26-21 endorsement;

26-22 (5) the percentage of students, aggregated by grade  
 26-23 level, provided accelerated instruction under Section 28.0211(c),  
 26-24 the results of assessment instruments administered under that  
 26-25 section, the percentage of students promoted through the grade  
 26-26 placement committee process under Section 28.0211, the subject of  
 26-27 the assessment instrument on which each student failed to perform  
 26-28 satisfactorily under each performance standard under Section  
 26-29 39.0241, and the performance of those students in the school year  
 26-30 following that promotion on the assessment instruments required  
 26-31 under Section 39.023;

26-32 (6) the percentage of students of limited English  
 26-33 proficiency exempted from the administration of an assessment  
 26-34 instrument under Sections 39.027(a)(1) and (2);

26-35 (7) the percentage of students in a special education  
 26-36 program under Subchapter A, Chapter 29, assessed through assessment  
 26-37 instruments developed or adopted under Section 39.023(b);

26-38 (8) the percentage of students who satisfy the college  
 26-39 readiness measure;

26-40 (9) the measure of progress toward dual language  
 26-41 proficiency under Section 39.034(b), for students of limited  
 26-42 English proficiency, as defined by Section 29.052;

26-43 (10) the percentage of students who are not  
 26-44 educationally disadvantaged;

26-45 (11) the percentage of students who enroll and begin  
 26-46 instruction at an institution of higher education in the school  
 26-47 year following high school graduation; and

26-48 (12) the percentage of students who successfully  
 26-49 complete the first year of instruction at an institution of higher  
 26-50 education without needing a developmental education course.

26-51 (b) This section applies beginning with the 2014-2015  
 26-52 school year.

26-53 SECTION 49. Subchapter J, Chapter 39, Education Code, is  
 26-54 amended by adding Section 39.309 to read as follows:

26-55 Sec. 39.309. TEXAS SCHOOL ACCOUNTABILITY DASHBOARD. (a)  
 26-56 The agency shall develop and maintain an Internet website, separate  
 26-57 from the agency's Internet website, to be known as the Texas School  
 26-58 Accountability Dashboard for the public to access school district  
 26-59 and campus accountability information.

26-60 (b) The commissioner shall adopt, for use on the Texas  
 26-61 School Accountability Dashboard, a performance index in each of the  
 26-62 following areas:

- 26-63 (1) student achievement;
- 26-64 (2) student progress;
- 26-65 (3) closing performance gaps; and
- 26-66 (4) postsecondary readiness.

26-67 (c) The Texas School Accountability Dashboard developed  
 26-68 under Subsection (a) must include:

- 26-69 (1) performance information for each district and

27-1 campus in areas specified by Subsection (b) and must allow for  
27-2 comparison between districts and campuses in each of the areas;

27-3 (2) a comparison of the number of students enrolled in  
27-4 each district, including:

27-5 (A) the percentage of students of limited English  
27-6 proficiency, as defined by Section 29.052;

27-7 (B) the percentage of students who are unschooled  
27-8 asylees or refugees, as defined by Section 39.027(a-1);

27-9 (C) the percentage of students who are  
27-10 educationally disadvantaged; and

27-11 (D) the percentage of students with  
27-12 disabilities;

27-13 (3) a comparison of performance information for each  
27-14 district and campus disaggregated by race, ethnicity, and  
27-15 populations served by special programs, including special  
27-16 education, bilingual education, and special language programs; and

27-17 (4) a comparison of performance information by subject  
27-18 area.

27-19 SECTION 50. (a) Section 39.332(b), Education Code, is  
27-20 amended by amending Subdivision (23) and adding Subdivision (24) to  
27-21 read as follows:

27-22 (23) The report must contain an evaluation of the  
27-23 availability of endorsements under Section 28.025(c-1), including  
27-24 the following information for each school district:

27-25 (A) the endorsements under Section 28.025(c-1)  
27-26 for which the district offers all courses for curriculum  
27-27 requirements as determined by board rule; and

27-28 (B) the district's economic, geographic, and  
27-29 demographic information, as determined by the commissioner.

27-30 (24) The report must contain any additional  
27-31 information considered important by the commissioner or the State  
27-32 Board of Education.

27-33 (b) This section applies beginning with the 2014-2015  
27-34 school year.

27-35 SECTION 51. Sections 42.154(a) and (c), Education Code, are  
27-36 amended to read as follows:

27-37 (a) For each full-time equivalent student in average daily  
27-38 attendance in an approved career and technology education program  
27-39 in grades eight [nine] through 12, [or] in career and technology  
27-40 education programs for students with disabilities in grades seven  
27-41 through 12, or in a course in career explorations in grade seven or  
27-42 eight, a district is entitled to:

27-43 (1) an annual allotment equal to the adjusted basic  
27-44 allotment multiplied by a weight of 1.35; and

27-45 (2) \$50, if the student is in grades nine through 12  
27-46 and enrolled in:

27-47 (A) two or more advanced career and technology  
27-48 education classes for a total of three or more credits; or

27-49 (B) an advanced course as part of a tech-prep  
27-50 program under Subchapter T, Chapter 61.

27-51 (c) Funds allocated under this section, other than an  
27-52 indirect cost allotment established under State Board of Education  
27-53 rule, must be used in providing:

27-54 (1) career and technology education programs in grades  
27-55 eight [nine] through 12 or career and technology education programs  
27-56 for students with disabilities in grades seven through 12 under  
27-57 Sections 29.182, 29.183, and 29.184; or

27-58 (2) courses in career explorations for students in  
27-59 grade seven or eight.

27-60 SECTION 52. (a) Section 51.3062, Education Code, is  
27-61 amended by amending Subsection (i) and adding Subsection (q-3) to  
27-62 read as follows:

27-63 (i) The institution of higher education may refer a student  
27-64 to developmental coursework as considered necessary by the  
27-65 institution to address a student's deficiencies in the student's  
27-66 readiness to perform freshman-level academic coursework, except  
27-67 that the institution may not require enrollment in developmental  
27-68 coursework with respect to a student previously [~~determined under~~  
27-69 ~~Subsection (q-1) or~~] determined by any institution of higher

28-1 education to have met college-readiness standards. An institution  
 28-2 that requires a student to enroll in developmental coursework must  
 28-3 offer a range of developmental coursework, including online  
 28-4 coursework, or instructional support that includes the integration  
 28-5 of technology to efficiently address the particular developmental  
 28-6 needs of the student.

28-7 (g-3) A student who successfully completes a college  
 28-8 preparatory course under Section 28.014 is exempt from the  
 28-9 requirements of this section with respect to the content area of the  
 28-10 course. The commissioner of higher education by rule shall  
 28-11 establish the period for which an exemption under this subsection  
 28-12 is valid.

28-13 (b) This section applies beginning with the 2013-2014  
 28-14 school year.

28-15 SECTION 53. (a) Section 51.803, Education Code, is amended  
 28-16 by amending Subsections (a), (b), and (d) and adding Subsection (m)  
 28-17 to read as follows:

28-18 (a) Subject to Subsection (a-1), each general academic  
 28-19 teaching institution shall admit an applicant for admission to the  
 28-20 institution as an undergraduate student if the applicant graduated  
 28-21 with a grade point average in the top 10 percent of the student's  
 28-22 high school graduating class in one of the two school years  
 28-23 preceding the academic year for which the applicant is applying for  
 28-24 admission and:

28-25 (1) the applicant graduated from a public or private  
 28-26 high school in this state accredited by a generally recognized  
 28-27 accrediting organization or from a high school operated by the  
 28-28 United States Department of Defense;

28-29 (2) the applicant:

28-30 (A) successfully completed:

28-31 (i) at a public high school, the curriculum  
 28-32 and other requirements ~~[established under Section 28.025]~~ for a  
 28-33 distinguished achievement endorsement under Section 28.025(c-1)(4)  
 28-34 ~~[the recommended or advanced high school program]; or~~

28-35 (ii) at a high school to which Section  
 28-36 28.025 does not apply, a curriculum that is equivalent in content  
 28-37 and rigor to the curriculum for a distinguished achievement  
 28-38 endorsement under Section 28.025(c-1)(4) and the other  
 28-39 requirements for that endorsement ~~[recommended or advanced high~~  
 28-40 ~~school program]; or~~

28-41 (B) satisfied ACT's College Readiness Benchmarks  
 28-42 on the ACT assessment applicable to the applicant or earned on the  
 28-43 SAT assessment a score of at least 1,500 out of 2,400 or the  
 28-44 equivalent; and

28-45 (3) if the applicant graduated from a high school  
 28-46 operated by the United States Department of Defense, the applicant  
 28-47 is a Texas resident under Section 54.052 or is entitled to pay  
 28-48 tuition fees at the rate provided for Texas residents under Section  
 28-49 54.241(d) ~~[54.058(d)]~~ for the term or semester to which admitted.

28-50 (b) An applicant who does not satisfy the curriculum  
 28-51 requirements prescribed by Subsection (a)(2)(A)(i) or (ii) is  
 28-52 considered to have satisfied those curriculum requirements if the  
 28-53 student completed the portion of the ~~[recommended or advanced]~~  
 28-54 curriculum requirements for a distinguished achievement  
 28-55 endorsement under Section 28.025(c-1)(4) or of the curriculum  
 28-56 equivalent in content and rigor, as applicable, that was available  
 28-57 to the student but was unable to complete the remainder of the  
 28-58 curriculum solely because courses necessary to complete the  
 28-59 remainder were unavailable to the student at the appropriate times  
 28-60 in the student's high school career as a result of course  
 28-61 scheduling, lack of enrollment capacity, or another cause not  
 28-62 within the student's control.

28-63 (d) For purposes of Subsection (c)(2), a student's official  
 28-64 transcript or diploma must, not later than the end of the student's  
 28-65 junior year, indicate:

28-66 (1) whether the student has satisfied or is on  
 28-67 schedule to satisfy the requirements of Subsection (a)(2)(A)(i) or  
 28-68 (ii), as applicable; or

28-69 (2) if Subsection (b) applies to the student, whether

29-1 the student has completed the portion of the [~~recommended or~~  
 29-2 ~~advanced~~] curriculum requirements for a distinguished achievement  
 29-3 endorsement under Section 28.025(c-1)(4) or of the curriculum  
 29-4 equivalent in content and rigor, as applicable, that was available  
 29-5 to the student.

29-6 (m) The Texas Higher Education Coordinating Board and the  
 29-7 commissioner of education shall jointly adopt rules to establish  
 29-8 eligibility requirements for admission under this section for  
 29-9 students participating in the recommended or advanced high school  
 29-10 program. This subsection expires September 1, 2020.

29-11 (b) This section applies beginning with the 2014-2015  
 29-12 school year.

29-13 SECTION 54. (a) Section 51.805, Education Code, is amended  
 29-14 by amending Subsection (a) and adding Subsection (g) to read as  
 29-15 follows:

29-16 (a) A graduating student who does not qualify for admission  
 29-17 under Section 51.803 or 51.804 may apply to any general academic  
 29-18 teaching institution if the student:

29-19 (1) successfully completed [~~satisfies the~~  
 29-20 ~~requirements of~~]:

29-21 (A) at a public high school, the curriculum  
 29-22 requirements established under Section 28.025 for the foundation  
 29-23 high school program; or

29-24 (B) at a high school to which Section 28.025 does  
 29-25 not apply, a curriculum that is equivalent in content and rigor to  
 29-26 the foundation high school program [~~(1) Section 51.803(a)(2)(A)~~  
 29-27 ~~or 51.803(b), as applicable to the student, or Section~~  
 29-28 ~~51.803(a)(2)(B)]; or ~~and~~]~~

29-29 (2) satisfied ACT's College Readiness Benchmarks on  
 29-30 the ACT assessment applicable to the applicant or earned on the SAT  
 29-31 assessment a score of at least 1,500 out of 2,400 or the equivalent  
 29-32 [Sections 51.803(c)(2) and 51.803(d)].

29-33 (g) The Texas Higher Education Coordinating Board and the  
 29-34 commissioner of education shall jointly adopt rules to establish  
 29-35 eligibility requirements for admission under this section as to  
 29-36 curriculum requirements for high school graduation under  
 29-37 Subsection (a) for students participating in the minimum,  
 29-38 recommended, or advanced high school program regarding high school  
 29-39 curriculum completion. This subsection expires September 1, 2020.

29-40 (b) This section applies beginning with the 2014-2015  
 29-41 school year.

29-42 SECTION 55. (a) Section 51.807(b), Education Code, is  
 29-43 amended to read as follows:

29-44 (b) The Texas Higher Education Coordinating Board, after  
 29-45 consulting with the Texas Education Agency, by rule shall establish  
 29-46 standards for determining for purposes of this subchapter:

29-47 (1) whether a private high school is accredited by a  
 29-48 generally recognized accrediting organization; and

29-49 (2) whether a person completed a high school  
 29-50 curriculum that is equivalent in content and rigor to the  
 29-51 curriculum requirements established under Section 28.025 for the  
 29-52 foundation [~~recommended or advanced~~] high school program or under  
 29-53 Section 28.025(c-1)(4) for a distinguished achievement  
 29-54 endorsement, as applicable.

29-55 (b) This section applies beginning with the 2014-2015  
 29-56 school year.

29-57 SECTION 56. (a) Subchapter A, Chapter 56, Education Code,  
 29-58 is amended by adding Section 56.009 to read as follows:

29-59 Sec. 56.009. ELIGIBILITY BASED ON GRADUATION UNDER CERTAIN  
 29-60 HIGH SCHOOL PROGRAMS. To the extent that a person's eligibility to  
 29-61 participate in any program under this chapter, including  
 29-62 Subchapters K, Q, and R, is contingent on the person graduating  
 29-63 under the recommended or advanced high school program, as those  
 29-64 programs existed before the adoption of H.B. No. 5, 83rd  
 29-65 Legislature, Regular Session, 2013, the Texas Higher Education  
 29-66 Coordinating Board and the commissioner of education shall jointly  
 29-67 adopt rules to modify, clarify, or otherwise establish for affected  
 29-68 programs appropriate eligibility requirements regarding high  
 29-69 school curriculum completion.

30-1 (b) This section applies beginning with the 2014-2015  
30-2 school year.

30-3 SECTION 57. (a) Section 56.3041, Education Code, is  
30-4 amended to read as follows:

30-5 Sec. 56.3041. INITIAL ELIGIBILITY OF PERSON GRADUATING FROM  
30-6 HIGH SCHOOL ON OR AFTER MAY 1, 2013, AND ENROLLING IN A GENERAL  
30-7 ACADEMIC TEACHING INSTITUTION. (a) Notwithstanding Section  
30-8 56.304(a), to be eligible initially for a TEXAS grant, a person  
30-9 graduating from high school on or after May 1, 2013, and enrolling  
30-10 in a general academic teaching institution must:

30-11 (1) be a resident of this state as determined by  
30-12 coordinating board rules;

30-13 (2) meet the academic requirements prescribed by  
30-14 Paragraph (A), (B), or (C) as follows:

30-15 (A) be a graduate of a public or accredited  
30-16 private high school in this state who completed the foundation  
30-17 [~~recommended~~] high school program established under Section 28.025  
30-18 or its equivalent and have accomplished any two or more of the  
30-19 following:

30-20 (i) [~~graduation under the advanced high~~  
30-21 ~~school program established under Section 28.025 or its equivalent,~~]  
30-22 successful completion of the course requirements of the  
30-23 international baccalaureate diploma program[~~7~~] or earning of the  
30-24 equivalent of at least 12 semester credit hours of college credit in  
30-25 high school through courses described in Sections 28.009(a)(1),  
30-26 (2), and (3);

30-27 (ii) satisfaction of the Texas Success  
30-28 Initiative (TSI) college readiness benchmarks prescribed by the  
30-29 coordinating board under Section 51.3062(f) on any assessment  
30-30 instrument designated by the coordinating board under Section  
30-31 51.3062(c) [~~or (e)~~] or qualification for an exemption as described  
30-32 by Section 51.3062(p) or[~~7~~] (q)[~~, or (q-1)~~];

30-33 (iii) graduation in the top one-third of  
30-34 the person's high school graduating class or graduation from high  
30-35 school with a grade point average of at least 3.0 on a four-point  
30-36 scale or the equivalent; or

30-37 (iv) completion for high school credit of  
30-38 at least one advanced mathematics course following the successful  
30-39 completion of an Algebra II course[~~, as permitted by Section~~  
30-40 ~~28.025(b-3),~~] or at least one advanced career and technical  
30-41 course[~~, as permitted by Section 28.025(b-2)~~];

30-42 (B) have received an associate degree from a  
30-43 public or private institution of higher education; or

30-44 (C) if sufficient money is available, meet the  
30-45 eligibility criteria described by Section 56.304(a)(2)(A);

30-46 (3) meet financial need requirements established by  
30-47 the coordinating board;

30-48 (4) be enrolled in an undergraduate degree or  
30-49 certificate program at the general academic teaching institution;

30-50 (5) except as provided under rules adopted under  
30-51 Section 56.304(h), be enrolled as:

30-52 (A) an entering undergraduate student for at  
30-53 least three-fourths of a full course load, as determined by the  
30-54 coordinating board, not later than the 16th month after the  
30-55 calendar month in which the person graduated from high school;

30-56 (B) an entering undergraduate student who  
30-57 entered military service not later than the first anniversary of  
30-58 the date the person graduated from high school and who enrolled for  
30-59 at least three-fourths of a full course load, as determined by the  
30-60 coordinating board, at the general academic teaching institution  
30-61 not later than 12 months after being honorably discharged from  
30-62 military service; or

30-63 (C) a continuing undergraduate student for at  
30-64 least three-fourths of a full course load, as determined by the  
30-65 coordinating board, not later than the 12th month after the  
30-66 calendar month in which the person received an associate degree  
30-67 from a public or private institution of higher education;

30-68 (6) have applied for any available financial aid or  
30-69 assistance; and

31-1 (7) comply with any additional nonacademic  
 31-2 requirements adopted by the coordinating board under this  
 31-3 subchapter.

31-4 (b) The Texas Higher Education Coordinating Board and the  
 31-5 commissioner of education shall jointly adopt rules to establish  
 31-6 eligibility requirements for a grant under this section as to  
 31-7 curriculum requirements for high school graduation under  
 31-8 Subsection (a)(2)(A) for students participating in the minimum,  
 31-9 recommended, or advanced high school program regarding high school  
 31-10 curriculum completion. This subsection expires September 1, 2020.

31-11 (b) This section applies beginning with the 2014-2015  
 31-12 school year.

31-13 SECTION 58. (a) Section 61.0517(a), Education Code, is  
 31-14 amended to read as follows:

31-15 (a) In this section, "applied STEM course" means an applied  
 31-16 science, technology, engineering, or mathematics course offered as  
 31-17 part of a school district's career and technology education or  
 31-18 technology applications curriculum and approved, as provided by  
 31-19 Section 28.027, by the State Board of Education for purposes of  
 31-20 satisfying the mathematics and science curriculum requirements for  
 31-21 the foundation [recommended] high school program [imposed] under  
 31-22 Section 28.025 [28.025(b-1)(1)(A)].

31-23 (b) This section applies beginning with the 2014-2015  
 31-24 school year.

31-25 SECTION 59. (a) Section 61.792(b), Education Code, is  
 31-26 amended to read as follows:

31-27 (b) To qualify for a scholarship under this section, a  
 31-28 student must:

31-29 (1) have graduated with a grade point average in the  
 31-30 top 20 percent of the student's high school graduating class;

31-31 (2) have graduated from high school with a grade point  
 31-32 average of at least 3.5 on a four-point scale or the equivalent in  
 31-33 mathematics and science courses offered under the foundation  
 31-34 [recommended or advanced] high school program under Section 28.025  
 31-35 [28.025(a)]; and

31-36 (3) maintain an overall grade point average of at  
 31-37 least 3.0 on a four-point scale at the general academic teaching  
 31-38 institution or the private or independent institution of higher  
 31-39 education in which the student is enrolled.

31-40 (b) This section applies beginning with the 2014-2015  
 31-41 school year.

31-42 SECTION 60. (a) Section 61.852(a), Education Code, is  
 31-43 amended to read as follows:

31-44 (a) A tech-prep program is a program of study that:

31-45 (1) combines at least two years of secondary education  
 31-46 with at least two years of postsecondary education in a  
 31-47 nonduplicative, sequential course of study based on the foundation  
 31-48 [recommended] high school program adopted by the State Board of  
 31-49 Education under Section 28.025 [28.025(a)];

31-50 (2) integrates academic instruction and vocational  
 31-51 and technical instruction;

31-52 (3) uses work-based and worksite learning where  
 31-53 available and appropriate;

31-54 (4) provides technical preparation in a career field  
 31-55 such as engineering technology, applied science, a mechanical,  
 31-56 industrial, or practical art or trade, agriculture, health  
 31-57 occupations, business, or applied economics;

31-58 (5) builds student competence in mathematics,  
 31-59 science, reading, writing, communications, economics, and  
 31-60 workplace skills through applied, contextual academics and  
 31-61 integrated instruction in a coherent sequence of courses;

31-62 (6) leads to an associate degree, two-year  
 31-63 postsecondary certificate, or postsecondary two-year  
 31-64 apprenticeship with provisions, to the extent applicable, for  
 31-65 students to continue toward completion of a baccalaureate degree;  
 31-66 and

31-67 (7) leads to placement in appropriate employment or to  
 31-68 further education.

31-69 (b) This section applies beginning with the 2014-2015

32-1 school year.

32-2 SECTION 61. (a) Section 61.855(d), Education Code, is  
 32-3 amended to read as follows:

32-4 (d) A tech-prep program must:

32-5 (1) be implemented under an articulation agreement  
 32-6 between the participants in the consortium;

32-7 (2) consist of two to four years of secondary school  
 32-8 preceding graduation and:

32-9 (A) two or more years of higher education; or

32-10 (B) two or more years of apprenticeship following  
 32-11 secondary instruction;

32-12 (3) have a common core of required proficiency based  
 32-13 on the foundation [~~recommended~~] high school program adopted by the  
 32-14 State Board of Education under Section 28.025 [~~28.025(a)~~], with  
 32-15 proficiencies in mathematics, science, reading, writing,  
 32-16 communications, and technologies designed to lead to an associate's  
 32-17 degree or postsecondary certificate in a specific career field;

32-18 (4) include the development of tech-prep program  
 32-19 curricula for both secondary and postsecondary participants in the  
 32-20 consortium that:

32-21 (A) meets academic standards developed by the  
 32-22 state;

32-23 (B) links secondary schools and two-year  
 32-24 postsecondary institutions, and, if practicable, four-year  
 32-25 institutions of higher education through nonduplicative sequences  
 32-26 of courses in career fields, including the investigation of  
 32-27 opportunities for tech-prep students to enroll concurrently in  
 32-28 secondary and postsecondary course work;

32-29 (C) uses, if appropriate and available,  
 32-30 work-based or worksite learning in conjunction with business and  
 32-31 all aspects of an industry; and

32-32 (D) uses educational technology and distance  
 32-33 learning, as appropriate, to involve each consortium participant  
 32-34 more fully in the development and operation of programs;

32-35 (5) include in-service training for teachers that:

32-36 (A) is designed to train vocational and technical  
 32-37 teachers to effectively implement tech-prep programs;

32-38 (B) provides for joint training for teachers in  
 32-39 the tech-prep consortium;

32-40 (C) is designed to ensure that teachers and  
 32-41 administrators stay current with the needs, expectations, and  
 32-42 methods of business and of all aspects of an industry;

32-43 (D) focuses on training postsecondary education  
 32-44 faculty in the use of contextual and applied curricula and  
 32-45 instruction; and

32-46 (E) provides training in the use and application  
 32-47 of technology;

32-48 (6) include training programs for counselors designed  
 32-49 to enable counselors to more effectively:

32-50 (A) provide information to students regarding  
 32-51 tech-prep programs;

32-52 (B) support student progress in completing  
 32-53 tech-prep programs;

32-54 (C) provide information on related employment  
 32-55 opportunities;

32-56 (D) ensure that tech-prep students are placed in  
 32-57 appropriate employment; and

32-58 (E) stay current with the needs, expectations,  
 32-59 and methods of business and of all aspects of an industry;

32-60 (7) provide equal access to the full range of  
 32-61 tech-prep programs for individuals who are members of special  
 32-62 populations, including by the development of tech-prep program  
 32-63 services appropriate to the needs of special populations; and

32-64 (8) provide for preparatory services that assist  
 32-65 participants in tech-prep programs.

32-66 (b) This section applies beginning with the 2014-2015  
 32-67 school year.

32-68 SECTION 62. (a) Section 61.861(c), Education Code, is  
 32-69 amended to read as follows:

33-1 (c) A course developed for purposes of this section must:  
 33-2 (1) provide content that enables a student to develop  
 33-3 the relevant and critical skills needed to be prepared for  
 33-4 employment or additional training in a high-demand occupation;  
 33-5 (2) incorporate college and career readiness skills as  
 33-6 part of the curriculum;  
 33-7 (3) be offered for dual credit; and  
 33-8 (4) satisfy a mathematics or science requirement under  
 33-9 the foundation [~~recommended or advanced~~] high school program as  
 33-10 determined under Section 28.025.

33-11 (b) This section applies beginning with the 2014-2015  
 33-12 school year.

33-13 SECTION 63. (a) Section 61.864, Education Code, is amended  
 33-14 to read as follows:

33-15 Sec. 61.864. REVIEW OF COURSES. Courses for which a grant  
 33-16 is awarded under this subchapter shall be reviewed by the  
 33-17 commissioner of higher education and the commissioner of education,  
 33-18 in consultation with the comptroller and the Texas Workforce  
 33-19 Commission, once every four years to determine whether the course:

33-20 (1) is being used by public educational institutions  
 33-21 in this state;

33-22 (2) prepares high school students with the skills  
 33-23 necessary for employment in the high-demand occupation and further  
 33-24 postsecondary study; and

33-25 (3) satisfies a mathematics or science requirement for  
 33-26 the foundation [~~recommended or advanced~~] high school program as  
 33-27 determined under Section 28.025.

33-28 (b) This section applies beginning with the 2014-2015  
 33-29 school year.

33-30 SECTION 64. (a) Section 78.10(b), Education Code, is  
 33-31 amended to read as follows:

33-32 (b) The Texas Academy of Mathematics and Science is a  
 33-33 division of The University of Texas at Brownsville and is under the  
 33-34 management and control of the board. The academy serves the  
 33-35 following purposes:

33-36 (1) to provide academically gifted and highly  
 33-37 motivated junior and senior high school students with a challenging  
 33-38 university-level curriculum that:

33-39 (A) allows students to complete high school  
 33-40 graduation requirements [~~, including requirements adopted under~~  
 33-41 ~~Section 28.025~~] for an endorsement as provided by Section  
 33-42 28.025(c-1) [the advanced high school program], while attending for  
 33-43 academic credit a public institution of higher education;

33-44 (B) fosters students' knowledge of real-world  
 33-45 mathematics and science issues and applications and teaches  
 33-46 students to apply critical thinking and problem-solving skills to  
 33-47 those issues and problems;

33-48 (C) includes the study of English, foreign  
 33-49 languages, social studies, mathematics, science, and technology;  
 33-50 and

33-51 (D) offers students learning opportunities  
 33-52 related to mathematics and science through in-depth research and  
 33-53 field-based studies;

33-54 (2) to provide students with an awareness of  
 33-55 mathematics and science careers and professional development  
 33-56 opportunities through seminars, workshops, collaboration with  
 33-57 postsecondary and university students including opportunities for  
 33-58 summer studies, internships in foreign countries, and similar  
 33-59 methods; and

33-60 (3) to provide students with social development  
 33-61 activities that enrich the academic curriculum and student life,  
 33-62 including, as determined appropriate by the academy, University  
 33-63 Interscholastic League activities and other extracurricular  
 33-64 activities.

33-65 (b) This section applies beginning with the 2014-2015  
 33-66 school year.

33-67 SECTION 65. (a) Section 87.505(b), Education Code, is  
 33-68 amended to read as follows:

33-69 (b) The Texas Academy of International Studies is a division

34-1 of Texas A&M International University and is under the management  
 34-2 and control of the board. The academy serves the following  
 34-3 purposes:

34-4 (1) to provide academically gifted and highly  
 34-5 motivated junior and senior high school students with a challenging  
 34-6 university-level curriculum that:

34-7 (A) allows students to complete high school  
 34-8 graduation requirements [~~including requirements adopted under~~  
 34-9 ~~Section 28.025~~] for an endorsement as provided by Section  
 34-10 28.025(c-1) [the advanced high school program], while attending for  
 34-11 academic credit a public institution of higher education;

34-12 (B) fosters students' knowledge of real-world  
 34-13 international issues and problems and teaches students to apply  
 34-14 critical thinking and problem-solving skills to those issues and  
 34-15 problems;

34-16 (C) includes the study of English, foreign  
 34-17 languages, social studies, anthropology, and sociology;

34-18 (D) is presented through an interdisciplinary  
 34-19 approach that introduces and develops issues, especially issues  
 34-20 related to international concerns, throughout the curriculum; and

34-21 (E) offers students learning opportunities  
 34-22 related to international issues through in-depth research and  
 34-23 field-based studies;

34-24 (2) to provide students with an awareness of  
 34-25 international career and professional development opportunities  
 34-26 through seminars, workshops, collaboration with postsecondary  
 34-27 students from other countries, summer academic international  
 34-28 studies internships in foreign countries, and similar methods; and

34-29 (3) to provide students with social development  
 34-30 activities that enrich the academic curriculum and student life,  
 34-31 including, as determined appropriate by the academy, University  
 34-32 Interscholastic League activities and other extracurricular  
 34-33 activities generally offered by public high schools.

34-34 (b) This section applies beginning with the 2014-2015  
 34-35 school year.

34-36 SECTION 66. (a) Effective September 1, 2013, the following  
 34-37 provisions of the Education Code are repealed:

34-38 (1) Sections 29.190(b) and (e);

34-39 (2) Sections 39.024(b), (c), (d), (e), (f), (g), and  
 34-40 (h);

34-41 (3) Section 39.0241(a-2);

34-42 (4) Section 39.0242;

34-43 (5) Sections 39.025(a-3) and (b-2); and

34-44 (6) Section 51.3062(q-1).

34-45 (b) Effective September 1, 2014, the following provisions  
 34-46 of the Education Code are repealed:

34-47 (1) Section 28.002(q);

34-48 (2) Section 28.0212(g);

34-49 (3) Sections 28.025(b-3), (b-6), (b-8), and (g);

34-50 (4) Section 39.0822; and

34-51 (5) Sections 39.0823(b) and (c).

34-52 SECTION 67. (a) Except as provided by Subsection (b) of  
 34-53 this section, Section 39.025, Education Code, as amended by  
 34-54 Sections 29 and 30 of this Act, as related to reducing end-of-course  
 34-55 testing requirements, applies only to students who have entered or  
 34-56 will enter the ninth grade during the 2011-2012 school year or a  
 34-57 later school year.

34-58 (b) Students who have entered the ninth grade during or  
 34-59 after the 2011-2012 school year and before the 2014-2015 school  
 34-60 year and who choose to complete the curriculum requirements under  
 34-61 the minimum high school program may be administered only those  
 34-62 end-of-course assessment instruments that would have been  
 34-63 administered to those students under Section 39.025, Education  
 34-64 Code, as amended by Section 29 of this Act, and Section 39.025,  
 34-65 Education Code, as amended by Section 29 of this Act, is continued  
 34-66 in effect for purposes of satisfying those end-of-course testing  
 34-67 requirements.

34-68 SECTION 68. Not later than October 1, 2013, the  
 34-69 commissioner of education shall adopt rules to administer Sections

35-1 39.025(a-1) and (a-2), Education Code, as amended by this Act.

35-2 SECTION 69. Section 39.027(a-2), Education Code, as added  
35-3 by this Act, applies to a student regardless of the date on which  
35-4 the student initially enrolled in a school in the United States.

35-5 SECTION 70. If, on September 1, 2013, a person is serving on  
35-6 a committee or panel that advises the commissioner of education or  
35-7 the Texas Education Agency who would not be eligible for  
35-8 appointment under Section 39.038, Education Code, as added by this  
35-9 Act, the person's position on the committee or panel becomes vacant  
35-10 and shall be filled in accordance with applicable law.

35-11 SECTION 71. (a) The Texas Education Agency, in  
35-12 collaboration with the Texas Higher Education Coordinating Board  
35-13 and the Texas Workforce Commission, shall, through an external  
35-14 evaluator at a center for education research authorized by Section  
35-15 1.005, Education Code, evaluate the implementation of the changes  
35-16 made by this Act to the curriculum requirements for high school  
35-17 graduation. The evaluation must include an estimation of this  
35-18 Act's effect on high school graduation rates, college readiness,  
35-19 college admissions, college completion, attainment of workforce  
35-20 certificates, employment rates, and earnings.

35-21 (b) The commissioner of education shall submit an initial  
35-22 report regarding the review to the governor, lieutenant governor,  
35-23 and members of the legislature not later than December 1, 2015. The  
35-24 commissioner of education shall submit a final report regarding  
35-25 the review to the governor, lieutenant governor, and members of the  
35-26 legislature not later than December 1, 2017.

35-27 SECTION 72. Except as otherwise provided by this Act, this  
35-28 Act takes effect immediately if it receives a vote of two-thirds of  
35-29 all the members elected to each house, as provided by Section 39,  
35-30 Article III, Texas Constitution. If this Act does not receive the  
35-31 vote necessary for immediate effect, this Act takes effect  
35-32 September 1, 2013.

35-33

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